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WISCONSIN WILDERNESS AREAS

HEARING

BEFORE THE

SUBCOMMITTEE ON
SOIL AND WATER CONSERVATION,
FORESTRY, AND ENVIRONMENT

OF THE

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

FIRST SESSION

ON

S. 1610

A BILL TO ESTABLISH THE WILDERNESS AREAS IN WISCONSIN

NOVEMBER 16, 1983

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WISCONSIN WILDERNESS AREAS

WEDNESDAY, NOVEMBER 16, 1983

U.S. SENATE,
SUBCOMMITTEE ON SOIL AND WATER CONSERVATION,
FORESTRY, AND ENVIRONMENT OF THE
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:10 a.m., in room 328-A, Russell Senate Office Building, Hon. Roger W. Jepsen (chairman of the subcommittee) presiding.

Present: Senators Jepsen and Melcher.

STATEMENT OF HON. JOHN MELCHER, A U.S. SENATOR FROM MONTANA

Senator MELCHER. The subcommittee will come to order. I am sitting in for Senator Jepsen this morning. He is not able to be here at this time. I will conduct the hearing in his absence, and if he is free before we get done, he will replace me.

The Forest Service has, of course, had to study all the potential wilderness areas in various parts of the United States managed by the Forest Service. The bill before us today, S. 1610,[1] would designate 2 of these 21 areas that the Forest Service is looking at for wilderness and covering 20,000 acres of national forest land.

But the focus of the debate on this and other wilderness bills is the issue of release language for the portion of the area studied that will not be designated as wilderness.

That language, in general, fits into the forest practices and their plan for various segments of the national forests and it complies with the National Forest Management Act of 1976. Release language is therefore necessary to get the land that is not going to be designated as wilderness back in the proper category of planning for the next agricultural planning, which is generally every 10 years.

The release language can and usually does give direction to the Forest Service on the management practices that they will emphasize on those wilderness areas that are not being designated as wilderness, which will get back in the planning and study cycle.

Now, this morning we have two fine Senators from the State of Wisconsin; Senator Bill Proxmire, I mention you first being senior; and Bob Kasten. I do not know which of you wants to testify first.

[1] See pp. 48-52 for a reprint of S. 1610 with accompanying staff explanation.

STATEMENT OF HON. WILLIAM PROXMIRE, A U.S. SENATOR FROM WISCONSIN

Senator PROXMIRE. Mr. Chairman, first I want to thank you and the committee very much for these hearings, having these hearings. I think we are having almost a day for Wisconsin. It is very, very good.

I served on this committee 26 years ago, my first appointment, and it is a great committee. But I cannot remember the committee dedicating this much time to an issue this way and then taking it up State by State in this meticulous and careful way. I congratulate you on it. We are very grateful to you for that.

I am here to testify on behalf of S. 1610, the Wisconsin wilderness bill. This bill is the product of cooperative efforts by many different Wisconsin interests, including representatives from the forest products industry, environmental groups, and the entire Wisconsin delegation.

The bill results from almost a decade of discussion and planning on both the State and Federal levels, beginning with the Eastern Wilderness Act in the early 1970's and continuing with the RARE through a process which started in 1977. My own office has actively participated in the process since 1980. The bill is modest. It designates just four areas in Wisconsin with a total of 24,339 acres, almost one-fourth of the original amount eligible for inclusion in the wilderness system in our State under RARE II.

The areas are Porcupine Lake in the Chequamegon National Forest and Kimball Creek, headwaters of the Pine and Shelp Lake, three adjacent areas which together form the Headwaters Wilderness. The remaining study areas are released for multiple use.

The Porcupine Lake area includes a mile long lake used for canoeing and a section of the North Country Trail. The area has great biological diversity, great potential for recreation and diverse topography.

The three areas in the Nicolet National Forest are contiguous and together include the entire watershed of the Pine River, a Wisconsin State protected wild river. The designation will protect the water quality of the river and improve its potential for wilderness recreation.

Shelp Lake includes the two State scientific areas and one of the few remaining stands of old growth pine in the Midwest. While the new wilderness areas will offer unique opportunities for recreation as well as solitude, the designation will have very little impact on the State timber harvests.

The Porcupine Lake area eliminates less than 1 percent of the saw timber base of the Chequamegon National Forest, while most of the three Nicolet wilderness areas are swampy and not suitable for timber. Any change either to the bill or the report language could unravel the compromise and force us to start the process all over.

For example, environmental groups wanted wilderness designation for both Round Lake and Saint Peter's Dome. They compromised on these areas, which will receive special Forest Service management, in exchange for soft release language on the designation of future Wisconsin wilderness areas. Therefore, any attempt

to change the release language, either in the bill or the report, would imperil the compromise. Weakening of release provisions will not have the support of the Wisconsin delegation.

Mr. Chairman, Wisconsin's great naturalist, Aldo Leopold, reminded us that "raw wilderness gives definition and meaning to the human enterprise." For the "ability to see the cultural value of wilderness boils down, in the last analysis, to a question of inteliectual humility."

I urge the committee to act swiftly to report the bill, and I once again want to thank you and the committee for so graciously having these hearings.

Senator MELCHER. Thank you, Senator. It is amazing the quote from Leopold from so many decades ago is apt today.

STATEMENT OF HON. ROBERT W. KASTEN, JR., A U.S. SENATOR FROM WISCONSIN

Senator KASTEN. Mr. Chairman, I, too, would like to thank you and the committee for your efforts to bring this bill forward. In addition, I would like to thank the staff for the work that they have done.

I am pleased to be here today to take this important step leading to the adoption of the Wisconsin wilderness bill. S. 1610 will establish four new wilderness areas with a total acreage of 24,339 acres. These areas will be protected through this legislation in their wild state in perpetuity for the use and enjoyment of current and future generations of Americans.

Mr. Chairman, while drafting this legislation, I worked very closely with the entire Wisconsin congressional delegation and forest user groups in Wisconsin. Because of this careful groundwork, the entire congressional delegation joined me in supporting this bill. In addition, there is very strong support for this wilderness legislation in Wisconsin.

Although there were many supporters for identifying new wilderness areas in Wisconsin, efforts were stalled until earlier this year. At that time groups who were interested in the Forest Service plans and wilderness issues met to discuss Wisconsin's RARE lands.

Mr. Chairman, I would like to supply a list of those who attended these meetings to the committee at this time and hope that that list can be included in the record.

Senator MELCHER. It will be made part of the record.

[The following information was received by the committee:]

ALEX: Enclosed are the RARE II documents you requested.

The meeting we will be attending in Stevens Point on February 23 to discuss wilderness in Wisconsin will include the following:

George Hall, Sierra Club, Madison. Jonathan Ela, Sierra Club, Madison. Bill Schultheis, Chairman of Wisconsion Department of Natural Resources, Wild Resources Advisory Council. Tom Klein, Director of Sigurd Olson Institute at Northland College, Ashland. Carl Theiler, Executive Secretary of Michigan-Wisconsin Timber Producers Association, Tomahawk. Tom Schmidt, Wisconsin Paper Council, Neenah. Jim Newman, Assistant Dean, College of Natural Resources, UW-Stevens Point. Jack Wolter, Forest Supervisor, Chequamegon National Forest, Joe Watkins, Information Staff Officer, Chequamegon National Forest. Jim Berlin, Forest Supervisor, Nicolet National Forest. Terry Moore, Planning Staff Officer, Nicolet National Forest.

I will keep you informed.

JOE WATKINS

Senator KASTEN. These groups agreed about many issues surrounding new wilderness areas but, frankly, remained deadlocked on a number of key points. After the forest users meeting in February, we began to work more closely with these groups to see if a compromise could be reached on a Wisconsin wilderness bill.

The two key points of difference between the groups centered around, first of all, special management for two areas not to be managed as wilderness; and, second, the reevaluation of areas not identified as wilderness. After months of negotiation we reached a compromise that led to this legislation. The committee has received language for the committee report that details the agreement reached by the forest users of Wisconsin.

[The following information was received by the committee:]

REPORT LANGUAGE FOR SPECIAL MANAGEMENT FOR AREAS NOT DESIGNATED AS WILDERNESS IN S. 1610

Two significant areas in the Chequamegon National Forest that were not designated as wilderness should receive special management.

Those two areas are a tract of 900 acres known as St. Peter's Dome/Morgan Falls, and a 60 acre tract known as the Old Growth Stand in the Round Lake Study Area.

The Forest Service shall continue to provide for multiple use of these areas that does not disrupt the natural integrity of these areas. The Forest Service shall manage these areas so that naturally existing plant and animal communities are allowed to regenerate undisturbed.

The use of mechanized vehicles is established in or immediately adjacent to these areas. In managing these areas, the Forest Service shall not allow the use of motorized vehicles in areas where that use is not already established. Furthermore, the Forest Service shall not provide additional facilities for mechanized transport in these areas.

REPORT LANGUAGE FOR THE RELEASE OF AREAS NOT DESIGNATED AS WILDERNESS IN S. 1610

The Committee recognizes that negotiating acceptable "Release Language" was a critical element in reaching a compromise that led to this legislation. For that reason, the Committee will describe in detail that agreement.

S. 1610 uses the same release language that is used in all other legislation that has created new wilderness areas since 1980. This has become known as "Soft Release."

In negotiations, some of the major users of Wisconsin's National Forests preferred that no release language be included in this legislation. Others preferred "Hard Language" be used that would prohibit the option to evaluate lands not designated as wilderness beyond the year 2000.

A compromise was reached, between these groups, to use "Soft Language," with the proviso that report language indicate that it is Congress' intent that released lands not be studied for wilderness management until the initial forest plan is revised.

According to the current schedule for planning, the initial plans for the Nicolet and Chequamegon National Forests are to be completed in 1985. Statutes require that forest plans shall be revised on a 10-year cycle and that the plans must be revised at least every 15 years. The Administration has interpreted these statutes to mean that the Forest Service shall revise forest plans every 15 years. (36 CFR 219.10(g))

The plans for the Nicolet and Chequamegon National Forests are to be completed in 1985. The initial planning cycle after that expires in the year 2000. The parties who negotiated the compromise that led to this legislation, and the Wisconsin Congressional Delegation agree that in the year 2000 areas not designated as wilderness by this legislation may again be subject to review as part of the forest planning process.

If for any reason, the initial plan fails to meet legal requirements and must be redrafted, the redraft would still be considered to be the initial plan to expire in the

year 2000. The wilderness review is still considered to be adequate until the second generation plan takes effect.

Senator KASTEN. Mr. Chairman, the people of Wisconsin have reached a compromise on wilderness lands in Wisconsin. That compromise is broadly supported, and I urge this committee to support the will of the people affected.

The entire Wisconsin congressional delegation has joined in support of this legislation. Senator Proxmire is here this morning, who joined me as an original cosponsor of the bill. His assistance was most helpful in drafting the legislation. A companion bill was introduced in the House of Representatives. Every member of the House of Representatives from Wisconsin joined in cosponsoring this bill.

Today I understand that the House will, in fact, adopt the companion bill to S. 1610 without amendment.

Finally, many constituents have contacted me to express their support for the Wisconsin wilderness bill, and I would like to submit for the record a few of their letters to be included in the record immediately following my prepared testimony.

Senator MELCHER. Yes. It will be made part of the record right after your prepared testimony.[1]

Senator KASTEN. Mr. Chairman, I believe that the subcommittee has before it today a package that is in Wisconsin's and the Nation's best interest. I believe that the subcommittee should move quickly so that there will be no delay in adopting this measure.

I have summarized my statement. I would like to ask that the entire statement appear in the record.[1]

Senator MELCHER. Yes, it will be.

Senator KASTEN. I would like to thank you and the committee very much for your attention to this important issue.

Senator MELCHER. I want to congratulate both of you, Bill and Bob, for leading the delegation; by that I mean the House Members, too, and the environmental community and the forest products community and the other recreational users as well. There are a lot of people who enjoy forest lands and they need to be apprised in the area of what the wilderness designation might or might not be and participate in the process.

I think one of the most interesting developments of democratic government that has come along in the last decade is in each State they are acting wisely and on the ball. We get together all the various interests and then get a package put together for wilderness designation and what is to be released from the national forest land. We get a clear understanding of what the management is to be, and then present a package bill that is united and backed—everybody backs it in the delegation representing the will of the people of the State, not only you but your colleagues from Wisconsin in the House.

I thank you for presenting something to Congress that can be acted upon quickly, probably without undue divisive arguments, and which will truly benefit everybody in Wisconsin now and in the future, as you both have said. Thank you very much.

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[1] See p. 19 for the prepared statement of Senator Kasten with accompanying letters from constituents.

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Senator KASTEN. Thank you, Mr. Chairman.

Senator PROXMIRE. I hope we can do the same for Montana.

Senator MELCHER. Yes. We are trying to get our act together. I wish we were as far along as you obviously are in Wisconsin in reaching a consensus.

Senator KASTEN. Mr. Chairman, we thank you.

Senator MELCHER. Thanks a lot.

Our next witness will be Mr. Beasley, Deputy Chief for Programs and Legislation, the Forest Service. Mr. Beasley, welcome.

STATEMENT OF J. LAMAR BEASLEY, DEPUTY CHIEF FOR PROGRAMS AND LEGISLATION, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. BEASLEY. Thank you. I am pleased, Mr. Chairman, to present the administration's views on S. 1610, a bill that would designate four new wildernesses in the State of Wisconsin, totaling a little over 24,000 acres. I have behind you and to your right a map which displays the areas we are discussing.

To the left, the west, is the Chequamegon National Forest. The area that is being proposed is Porcupine Lake wilderness, an area of about 14,235 acres. This area was inventoried as a part of the Roadless Area Review and Evaluation and was recommended for wilderness designation.

To the east, is the Nicolet National Forest; which contains the headwaters area wilderness proposal, which is further broken into three parts: the southeast is headwaters of the Pine; the southwest is Shelp Lake; to the north is Kimball Creek.

These boundaries are separated by two public roads, Forest Road 2182 and Forest Road 2414. The map shows more detail of the area. Going to the headwaters of the Pine area, it is about 8,800 acres. Shelp Lake, contains 3,700 acres, and Kimball Creek to the north contains 7,527 acres.

The two areas that were mentioned earlier, Round Lake and St. Peter's Dome, do have some significant features, which have been identified by different interest groups. I might say that as the forests has proceeded with their forest plan, these special areas are being taken into account as a part of that planning process.

We support designation of the areas that are recommended in section 1 of S. 1610. We also support the bill's declaration that the RARE II final EIS for Wisconsin was legally sufficient and that adequate consideration has been given to the wilderness and nonwilderness values for all the roadless areas in the State, recommended in RARE II either for wilderness or for other uses.

As the committee is aware, the administration continues to recommend that release language contained in section 3(b)(2) of the bill be strengthened to provide more long-term stability to the National Forest System lands not designated as wilderness by this bill or currently in the National Wilderness Preservation System.

Mr. Chairman, the Department of Agriculture recommends enactment if amended to provide long term or permanent release for roadless areas which are to be managed for uses other than wilderness.

This concludes my statement. I would be pleased to respond to any questions.

Senator MELCHER. Is the cross hatch the private land?

Mr. BEASLEY. Yes, sir. The checkered——

Senator MELCHER. And the slanted lines are what?

Mr. BEASLEY. State lands.

Senator MELCHER. And you are going to manage it?

Mr. BEASLEY. Well, their activities would continue to take place. We propose that only the National Forest System lands be classified as wilderness.

Senator MELCHER. They are within the boundaries. How are they going to get in there?

Mr. BEASLEY. We would not acquire those lands. It would just be recognized that those are outstanding rights owned by the State.

Senator MELCHER. Are they going to drive vehicles in there?

Mr. BEASLEY. They would be permitted to drive vehicles on those roads providing access to their land; yes, sir.

Senator MELCHER. You mean drive right into those wilderness boundaries?

Mr. BEASLEY. That is correct.

Senator MELCHER. Have you done this before?

Mr. BEASLEY. In eastern wilderness that has been done.

Senator MELCHER. I was the author of the Eastern Wilderness Act. We must have been pretty loose on it.

Mr. BEASLEY. There are some differences.

Senator MELCHER. There are some differences, but I am not aware that that provides a distinction for highways managed by the State versus the Federal Government. You are not going to drive vehicles in, are you?

Mr. BEASLEY. No, sir, we would not take motorized vehicles into the National Forest System lands. That is correct.

Senator MELCHER. I am interested to watch this and see whether the State of Wisconsin does, whether they adhere to the Wilderness Act or whether they have a different idea of it. What about the private lands?

Mr. BEASLEY. We would not plan to acquire, unless it was a willing seller arrangement, private lands either, and so the outstanding rights, would still be exercised by the private land holder.

Senator MELCHER. They cannot possibly get in there without crossing wilderness land.

Mr. BEASLEY. I think that is a State section——

Senator MELCHER. That is a State section?

Mr. BEASLEY. Yes.

Senator MELCHER. The one up in the middle?

Mr. BEASLEY. That is right. They would still have to have access to that.

Senator MELCHER. What kind of a plan do you have there?

Mr. BEASLEY. It is not drawn out. It is a part of the area which would be recognized that access to that land would be necessary.

Senator MELCHER. By motorized vehicle?

Mr. BEASLEY. We would discourage it, but by right they would have access; that is correct.

Senator MELCHER. He could build condominiums there if he wants to.

Mr. BEASLEY. That is correct.

Senator MELCHER. As far as Federal law goes.

Mr. BEASLEY. That is correct.

Senator MELCHER. We do not know about State law.

Mr. BEASLEY. That is correct.

Senator MELCHER. I hear ads on the radio around here that if you buy 5 acres somewhere, you will have access to a million.

Mr. BEASLEY. Near the George Washington National Forest.

Senator MELCHER. That is all forest land, is it not?

Mr. BEASLEY. That is correct.

Senator MELCHER. And it would be managed as wilderness under the law?

Mr. BEASLEY. All of what, Mr. Chairman?

Senator MELCHER. The million acres.

Mr. BEASLEY. Oh, no. It is not all wilderness, no, sir.

Senator MELCHER. A portion of it is wilderness.

Mr. BEASLEY. A portion——

Senator MELCHER. I think the ad says 80,000 or something.

Mr. BEASLEY. That is correct.

Senator MELCHER. Well, I am not going to worry about how Wisconsin does its plan. I think we should note, though, that private in-holdings are private in-holdings, just that, owned by individuals and if surrounded by wilderness by an act of Congress, it will not deny to the owner the right of utilizing that property.

It does create problems we would not tolerate in the West, but we have more options there. We have a lot of options. This proposal has apparently met the test, having received the understanding and endorsement by the people of Wisconsin. I hope it does not create too many problems for you.

Mr. BEASLEY. It will create management problems, which is very obvious, but they are problems which I think we can work out.

Senator MELCHER. On the question of release, I suspect in this Congress sometime we are going to get to appropriate language that will work. I think what you are after is that on the roadless areas released, that you will not be required to include them in studies for your next planning cycle. Is that right?

Mr. BEASLEY. That is part of it, Mr. Chairman. There are a couple of issues around release, particularly what has been termed by some as soft release. If you look at the regulations that have been promulgated to implement the National Forest Management Act for planning, it specifies certain times at which the plan would be revised. And those revisions could come very early after a plan has been finalized. You could have a natural disaster such as Mount St. Helens in which case we might find a need to revise the plan.

You might have an updated RPA program that changed the program goals. It might be necessary to revise the plan at that point.

The regulations call for each forest supervisor every 5 years to take another look to determine whether or not the plan needs to be revised. Now, we do not know whether it was the intent or not, but the way the soft language has now been written, it would require that we take another look at the wilderness question if those interim revisions are made.

The scheduled type revisions to the plan would occur every 10 to 15 years. One issue then is whether or not we would be asked to look at the wilderness issue very early after a plan had been adopted.

A second issue is that once you begin the revision of a plan and you formulate the alternatives for how you would manage that national forest, the Council on Environmental Quality regulations in the implementation of NEPA says that you will not do anything with those alternatives from that point on, until you have made your decision. In other words there should not be changes so that the alternatives would not be viable. That in effect would freeze in place, at the time you started the revision, that forest plan, whatever status that land was in. That is a concern to us.

We have other concerns such as the certainty of the land base in terms of whether we, the Forest Service, should be making investments in that land or whether private companies, industries, or other user groups which are dependent on the area for outputs, resources, goods and services from that land would know with some certainty what is entailed when they make their investments. Those are the reasons behind our position of a need for more long-term-type release.

Senator MELCHER. This involves two forests. You call it the Nicolet?

Mr. BEASLEY. Nicolet, yes.

Senator MELCHER. Is the Nicolet National Forest plan out yet?

Mr. BEASLEY. No, sir, it is not.

Senator MELCHER. And the question is when does it get out? Would it be out this coming year?

Mr. BEASLEY. I think it is in 1985 when it will be final. It should be in draft form in 1984.

Senator MELCHER. Oh, I see. The draft has not been circulated.

Mr. BEASLEY. No, sir, the draft has not.

Senator MELCHER. Is the same true for the Chequamegon?

Mr. BEASLEY. Yes, sir.

Senator MELCHER. It will be out in 1985?

Mr. BEASLEY. Finalized, yes, sir.

Senator MELCHER. Well, these apparently have been well scrutinized and well studied. The question is whether release in this forest would come up in the planning cycle for restudy as wilderness within 5 years or 15 years.

Mr. BEASLEY. Yes, sir.

Senator MELCHER. I do not think there is any bill that will pass the Senate this year that is not scrutinized on what type of language it has on release. I guess we all get involved in that a little bit because of what becomes a pattern—what is passed in one bill might become a pattern for other States. So we all have a stake in that. We will review that very carefully.

I personally believe that if a good study has been done of the roadless areas, release ought to be until the next planning cycle rather than being called up in that 5-year review that you are required to do. We thought we made that quite clear in the 1976 act, but maybe we did not. There are a lot of reasons to make it clear as we pass these wilderness bills.

Mr. BEASLEY. The intent of Congress in those areas would be very helpful to us.

Senator MELCHER. I think so. It was at least my intent, representing the House position on that in 1976. It has taken a long time to develop these forest plans. We are not attempting to get the Forest Service fouled up in restudying roadless areas again in the next planning cycle or until the next planning cycle.

I think your testimony is that it would be in the same category. It would be managed as if it were wilderness. That is not going to fit in Wisconsin. It does not fit in a lot of cases in Montana. They have deer hunting there. I do not know what their season is. But if you have deer hunting, I can assure you if you start telling people not to drive their pickups in there in that released land, you are going to have all kinds of argument.

But that is what the law would mean if it is to be maintained in its wilderness quality as is. I have understood it for a long time, but I think our hunters are beginning to understand it now. It is something we will be looking at in this committee carefully.

I am sure we will try to reach what we call boilerplate language for this release. I do not think this term soft release or hard release means anything. It is what we write in there that means something.

Mr. BEASLEY. That is correct.

Senator MELCHER. That is what dictates to the Forest Service what it has to do. I think you know that my goal is that I will live long enough to see more of your people out there in the forest working rather than in the office writing reports. I do not think professional foresters want to spend the bulk of their careers in the office. Thank you very much.

Senator JEPSEN. At this time we would ask that Mr. Guthrie, Mr. Schmidt, Mr. Schultheis, Dr. Englehard, Mr. Sorenson, and Mr. Meyer, if they would take seats starting on my immediate right.

All right, Mr. Schmidt, executive director, Wisconsin Paper Council, and Mr. Schultheis, former chapter chairman, John Muir Chapter, Sierra Club, Milwaukee; and Mr. Myer, director of public affairs, Consolidated Paper, Wisconsin Rapids, Wis.

Welcome to Washington. We welcome you as a panel. Any written statements you have will be entered into the record as if read. You may proceed, in any manner that you so desire.

We will just proceed on the basis of the way you are sitting. Mr. Schmidt, executive director, Wisconsin Paper, you may proceed.

STATEMENT OF THOMAS H. SCHMIDT, EXECUTIVE DIRECTOR, WISCONSIN PAPER COUNCIL, NEENAH, WIS.

Mr. SCHMIDT. Thank you, Mr. Chairman, and thank you for this opportunity to appear here today and offer our comments on Senate bill 1610.[1]

On behalf of our member firms in the Wisconsin pulp and paper industry, I am here today to testify in support of Senate bill 1610,

[1] See p. 24 for the prepared statement of Mr. Schmidt.

sponsored by Senators Robert Kasten and William Proxmire, endorsed by the nine representatives from the State of Wisconsin.

I must point out, however, that the Wisconsin Paper Council is reluctantly supporting this legislation, which addresses wilderness designation in our State. The reason for our qualified support is our deep concern over the need for increased forest productivity, not only in Wisconsin, but nationally, and the negative impact resulting from additional wilderness designations.

I would like just to provide you with a brief comment relative to our concern over wilderness designations. One of our major concerns relates to the fact that the pulp and paper industry, not only in Wisconsin but nationally, as you know, depends upon the forest resource base, both State and national, private and public, for our source of wood fiber. In Wisconsin 75 percent of our paper is made from virgin fiber and pulp, whereas the remaining 25 percent is derived from recycled fiber.

Productive, well managed forests are obviously the lifeline of the Wisconsin paper and forest products industries. There is another reason for our concern about forest productivity, and that is according to studies conducted by the Forest Service a nationwide shortage of fiber is possible by the year 2030. And according to estimates by the Wisconsin Department of Natural Resources, shortages may surface in Wisconsin as early as the year 2000.

We are concerned that the area of public and private land that is available for continuous growth and harvesting of repeated timber crops is shrinking, both in Wisconsin and nationally. At the same time, as I said, public demand for our forest resource base, whether it is for housing, for paper, for recreational or for other purposes is expected to double.

It is a disturbing trend that emphasizes the need for increased productivity in all classifications of available commercial forest land. This potential loss of productivity is exemplified in Wisconsin by the fact that 4,100 cords of softwood pulpwood would potentially be lost annually if the four areas under consideration for wilderness are formally approved.

Granted, these are not large amounts, but one must look at it in light of the fact that the pulp and paper industry in the State of Wisconsin imports 80 percent of its softwood fiber requirements. It is also, I think, important to keep in mind that wilderness areas are by design undermanaged and underutilized. The single purpose management approach, while appropriate in select, unique circumstances, should not be applied broadly to the detriment of society in general.

We believe that only the multiple use management approach can provide the basics that our society needs, whether it is for timber production, watershed protection, wildlife management, recreation, and roads for fire protection and access to camping and sporting areas.

One must also keep in mind when addressing the question of wilderness designation that Wisconsin is a national leader in conservation and preservationist policies. We do have a very progressive philosophy in the State of Wisconsin and the development of a very extensive wilderness system of wild rivers, scenic areas, other areas now that encompass in excess of 300,000 acres.

Obviously, the Wisconsin Paper Council is concerned about S. 1610. In the past we have strongly opposed wilderness designations unless a proposed area does have unique environmental or esthetic qualities that need to be protected. As for S. 1610, we have modified our position and in a spirit of cooperation and consensus we agreed to support Senate bill 1610 provided that the committee report includes the following recommendations. We have three.

First, that further wilderness review, unless specifically authorized by Congress, will not be undertaken in Wisconsin until the year 2000.

Two, that the Forest Service be directed to take appropriate measures to increase productivity on lands not included in the wilderness program.

And, three, that the Forest Service give special management consideration to the Saint Peter's Dome-Morgan Falls Area and to the virgin white pine stand near Round Lake.

It is my understanding that all parties involved in developing this-agreed-upon bill support these provisos. Hopefully, the passage of S. 1610, including these provisos recommended for inclusion in the committee report will resolve this issue in Wisconsin before it becomes a problem. Thank you, Mr. Chairman.

Senator JEPSEN. I thank you, Mr. Schmidt. If I may, I would like to ask you to please elaborate on one of these conditions that you mentioned. You said that one of the conditions for acceptance of this is that you would like to have the Forest Service directed to take appropriate measures to increase productivity on lands not included in the wilderness program.

Would you elaborate on this for a moment and indicate what type of actions you specifically are requesting.

Mr. SCHMIDT. Certainly, Mr. Chairman. When you—one of the measures of forest productivity is the amount of harvest versus the potential harvest. In Wisconsin the privately owned lands, say, those lands that are owned by industry, we are at this point harvesting 76 percent of the potential growth, annual growth.

Now, normally 80 percent is the desireable level or the max. We allow a 20-percent cushion in there for catastrophe. Now, when you look at the private, nonindustrial sector, they are at about a 62-percent rate and we looked at land that is owned by the public sector, whether it is the Forest Service lands or land that is owned by the State and the counties, that rate drops down to about 30, 35 percent. Basically, that tells us those lands are basically, not managed very much at all, if any, at this point.

We are suggesting that those lands do receive more intensive management practices.

Senator JEPSEN. As proper and good management practices, does that include harvesting? In other words, we are talking about stewardship now, stewardship of the soils, stewardship of our wilderness areas, stewardship of our forests, proper wildlife management. Would proper management, in your opinion, scientifically be based on a certain percentage of harvest each year and replacement? And what is that percentage?

Mr. SCHMIDT. I do not think you can generalize to that degree. I would agree with your comment basically for the forest system in Wisconsin. We are growing trees for timber, for fiber production,

but you are also doing it for wildlife management and other purposes like that, recreation purposes.

One thing, I said you cannot generalize; it is the fact of the—each species in each area requires special management consideration. In Wisconsin one of the predominant species in the northern part of the State which you are looking at here is aspen. Aspen is a relatively short-lived species, roughly 40 to 60 years.

Aspen is also a type of species that if it is not harvested that it will then actually die. It is a weed type species. It has to be cut and harvested to regenerate itself. So in that respect——

Senator JEPSEN. In other words, trying to keep aspen—and I just say this to get clarification as an analytical question—trying to keep aspen wilderness in a pristine state would be sell-defeating; is that what you are saying?

Mr. SCHMIDT. It is impossible.

Senator JEPSEN. In each case, in each different type of tree, and different type of environment, and wilderness area, would have to be looked at as to its geography, its makeup of the trees, including all wildlife in that area. Thus, 33 or 35 percent utilization or harvesting does not necessarily mean that the forest is being mismanaged. That is not the point I am trying to make, but without referring to any specific area in Wisconsin, 35 percent may or may not be mismanagement whereas, 80 percent may or may not be mismanagement.

Mr. SCHMIDT. That is true. I am not sure I used the word mismanagement.

Senator JEPSEN. No, that is mine.

Mr. SCHMIDT. The opportunity for further——

Senator JEPSEN. No, that was mine. I just wanted to clarify.

Now, you heard Mr. Beasley from the Forest Service testify concerning the release language issue and you mentioned it in your testimony. What exactly would the forest products industry like to see in the release language?

Mr. SCHMIDT. We have agreed to the language that is in the bill with the proviso that the committee report the language regarding the year 2000.

Senator JEPSEN. And so you would like to see the release language timeframe clarified using the date 2000.

Mr. SCHMIDT. In the committee report, yes. This is a very—this bill is a carefully worked out compromise by a variety of interests in the State of Wisconsin.

Senator JEPSEN. OK.

Mr. SCHMIDT. We have used a consensus approach.

Senator JEPSEN. Thank you.

Mr. Meyer?

STATEMENT OF DANIEL P. MEYER, DIRECTOR OF PUBLIC AFFAIRS, CONSOLIDATED PAPERS, INC., WISCONSIN RAPIDS, WIS.

Mr. MEYER. My name is Daniel Meyer and I am director of public affairs with Consolidated Papers, one of the members of the association that Mr. Schmidt represents. We are a forest based company. We are a Wisconsin based company. We have been operating in the State of Wisconsin since the turn of the century and

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we employ about 5,000 people, most of them in the State of Wisconsin. Our sales in 1982 were in excess of $500 million. Our principal product is enamel printing papers which are used by national magazines and commercial printers.

We produce our own wood pulp. Therefore, wood is our basic raw material. To help assure this raw material supply, we have, over the years, acquired about 268,000 acres of timberland in Wisconsin. These lands have been carefully managed to improve their tree growing capacity and they are open to the public for hunting and other recreational oppotunities. These lands currently supply only about 20 to 25 percent of our pulpwood needs. Our interest in the resolution of the RARE II stems then from our ongoing need to purchase wood to make pulp and then to make paper for the printing communications industry.

Consolidated, too, supports S. 1610 with some reluctance. We are reluctant, quite frankly, because we question whether some of the lands designated for wilderness in Wisconsin really meet the unique features criteria of wilderness. Be that as it may, we will support S. 1610 so we can finally resolve this issue and return the nondesignated lands to multiple use where, hopefully, they can grow the wood fiber needed, particularly the pines or softwood which are in short supply in Wisconsin.

You see, Wisconsin imports largely from the Western States and Canada about 80 percent of the softwood fiber consumed in pulp and papermaking. This amounts to about 2 million to 2.5 million cords a year. Now, under S. 1610, 4,000 cords would be lost each year with the set-aside of the four areas in the Nicolet and Chequamegon. This sounds like a small amount, but it is enough to run our Kraft pulp mill for 3 days.

Our ongoing, overall concern, however, is the disposition of the RARE II lands in the Western States, a major source of softwood fiber today. We hope the Congress will seek a balance between the wilderness and managed, productive forests so that we can meet our needs for environmental quality, which we certainly support, and at the same time provide essential forest products. We hope the Congress will also recognize that in many, many cases multiple use lands, such as our 268,000 acres in Wisconsin, satisfy many people's wilderness desires.

Relative to the language that you spoke of and Mr. Schmidt commented on, in the committee's report, it is my understanding that it will indicate it is the Congress intent that the release lands not be studied for wilderness until the year 2000; and, also that the Forest Service will be directed to step up forest productivity on these released lands. Thank you for the opportunity.

Senator JEPSEN. Thank you, Mr. Meyer.

Mr. Schultheis, you may proceed.

STATEMENT OF WILLIAM SCHULTHEIS, REPRESENTING THE SIERRA CLUB

Mr. SCHULTHEIS. Mr. Chairman, I am William Schultheis, former chapter chairman of the John Muir Chapter of the Sierra Club. The John Muir Chapter is the Wisconsin chapter of the national organization, representing over 7,000 members within our State

and I am speaking on behalf of the chapter and the 350,000 national Sierra Club members at large in support of S. 1610, the Wisconsin wilderness bill. I would like to thank the committee for considering this piece of legislation.

The Wisconsin wilderness bill enjoys the support of the entire Wisconsin congressional delegation in large measure due to the leadership of our two Senators, Senator Proxmire and Senator Kasten. The bill before you will protect two significant roadless areas in the State where incompatible land uses have not already been established. The bill will preserve approximately 24,400 acres in four areas: the Porcupine Lake Area, 4,235 acres; Chequamegon National Forest and the three adjacent areas in the Nicolet National Forest; Shelp Lake with a little over 3,700 acres, Kimball Creek with 7,500-plus acres, and—did I get all three? And the Headwaters of the Pine for 8,872 acres, which collectively comprise the Headwaters Wilderness Area.

These areas represent some of the last pristine areas of Wisconsin's great north woods. The wilderness values of these four areas include unspoiled lakes and bogs, old growth red and white pine, and a portion of the North Country Trail. Wilderness designation for these areas will also afford protection for a variety of rare and endangered or threatened animal and plant species.

The proposed Headwaters Wilderness in the Nicolet National Forest is particularly important because it has potential to become the first large wilderness in the State. In order to realize this potential, two roads, USFS 2414 and a portion of USFS 2182 must ultimately be closed to afford the area the protection it deserves. Wilderness designation will protect the springs and the tributary creeks of the Pine River and the Popple; both are Wisconsin designated wild rivers.

Shelp Lake is a unique, undisturbed bog community featuring insect eating plants such as the sundew and pitcher plant. Between the bogs and the lowlands are ridges which offer excellent hiking opportunities and scenic overlooks. The wilderness quality of the area is clearly evident in the old growth hemlock stand, a giant white pine grove reminiscent of the great northern mesic forest which once covered the northern Great Lakes region.

The proposed Porcupine wilderness in the Chequamegon National Forest encompasses approximately 6 miles of the North Country Trail, one of the newest components of the national trail system. The area contains five small bog lakes and one large lake approximately 1 mile long. This affords fishing and canoeing opportunities and desirable campsites along the shore. The forest is a mix of northern hardwoods interspersed with stands of red and white pine.

Since 1978 RARE II areas recommended for wilderness in Wisconsin have been the focus of intense debate between environmentalists and timber, pulp, and paper interests. Earlier this year an agreement on wilderness designation for these areas was reached. The legislation before you is a compromise which was hammered out last February between representatives of the Sierra Club, the Sigurd Olson Institute, the Wisconsin Department of Natural Resources' Wild Resources Advisory Committee, Wisconsin Paper Council, and the Forest Service. While this compromise has

achieved support for the legislation from the entire Wisconsin congressional delegation and a broad representation of interest groups from all sides, it should be understood that the legislation before you is a substantial compromise.

The compromise involves inclusion of standard Colorado sufficiency/release language, which would not preclude future wilderness consideration of pristine land in accordance with the planning cycle mandated by RPA/NFMA, which will commence after the year 1990. In addition, the group agreed that appropriate committee language should be included in the bill which would offer administrative guidance for the protection of Tucker Lake in the Round Lake RARE II study area, and Saint Peter's Dome and Morgan Falls in the Saint Peter's Dome RARE II study area.

Let me outline briefly our concerns about these two areas. The Saint Peter's Dome Area contains outstanding geological and natural features such as Morgan Falls, the second highest waterfall in Wisconsin, and the Dome itself, which is a large rock outcropping from which views as far as Lake Superior 30 miles away can be seen.

Although there are some established intrusions in the area, such as a snowmobile trail and a gravel pit, the outstanding natural features of the area are undisturbed and should remain so.

The Round Lake Area was designated a wilderness study area in the Eastern Wilderness Act. It is the site of the Deering family estate, which was transferred to the Forest Service some years ago. It contains several unlogged stands of virgin timber. Tucker Lake is a recognized feature in the area, under consideration by the State of Wisconsin for designation as a State scientific area because of its unique and undisturbed plant communities. We would hope that the committee would suggest administrative guidance for the protection of these unique areas.

This bill is a compromise. It does not include everything that the Sierra Club hoped would be included in the Wisconsin wilderness bill. It does, however, protect in perpetuity significant areas of the north woods, which are an important part of the magnificent diversity of Wisconsin's natural heritage, and we support its passage. Thank you very much.

Senator JEPSEN. Mr. Schultheis, your testimony indicated that the Sierra Club supports the release language that would not preclude future wilderness consideration in the second land management planning cycle. If the committee determined that the release language in this bill is deficient and in fact really provides no release, would you support efforts to construct a new release language that would actually provide release through the first generation of land management plans but would still allow wilderness consideration in future planning cycles?

Mr. SCHULTHEIS. I do not really—I cannot answer that. All I know is that this is a compromise worked out by all the groups to accept the language as being proposed. And it is a very tenuous agreement between all these parties. And I would hope that there would be no changes whatsoever in the language.

I am far from an expert on release language. Unfortunately, I am not sure I can make any comment on that.

Senator JEPSEN. I thank you for your comment. What is the position of the Sierra Club on multiple use management?

Mr. SCHULTHEIS. Unfortunately, I am not current on those things. I am really not.

Senator JEPSEN. OK. I appreciate that. You might have someone from your organization in response to what the position of the Sierra Club is on multiple use land use, send it in for the record and you can do that in writing.

Mr. SCHULTHEIS. Unfortunately, Tim Mahoney was supposed to be here with me this morning to help on these questions. Unfortunately, Tim had to go to the Arkansas markup on their wilderness legislation this morning.

He apologizes for not being able to be here.

Senator JEPSEN. Do any of you three gentlemen have any closing statements or anything you would like to enter for the record?

[No response.]

I thank you very much for coming.

Mr. SCHULTHEIS. Thank you.

Senator JEPSEN. The subcommittee is adjourned.

[Whereupon, at 11:05 a.m., the subcommittee adjourned, subject to call of the Chair.]

APPENDIX

STATEMENT OF HON. WALTER D. HUDDLESTON, A U.S. SENATOR FROM KENTUCKY

Mr. Chairman, S. 1610 would designate 24,339 acres of land in Wisconsin, in four areas, as wilderness. It is my understanding that this bill has the support of the entire Wisconsin delegation and that the various groups having an interest in this land worked together in developing this legislation.

Developing this legislation with the cooperation of local groups, representing divergent interests, is the appropriate manner to handle issues of this nature. Local citizens and groups are well qualified to determine the uses of certain parcels of National forest land. For that reason, I believe the Committee should seriously consider the recommendations of these local groups before making substantive changes in the bill that could upset what appears to be a carefully crafted compromise.

I look forward to reviewing the testimony of today's witnesses.

STATEMENT OF HON. ROBERT W. KASTEN, JR., A U.S. SENATOR FROM WISCONSIN

Mr. Chairman, first, I would like to thank you and the committee for your efforts to bring this bill up today and move it quickly to the floor. In addition, I would like to thank your staff for its work on this legislation.

I am pleased to be here today to take this important step leading to the adoption of the Wisconsin wilderness bill.

S. 1610 will establish four new wilderness areas, with a total acreage of 24,339. These areas will be protected through this legislation in their wild state in perpetuity for the use and enjoyment of current and future generations of Americans.

Mr. Chairman, while drafting this legislation, I worked very closely with the entire Wisconsin congressional delegation and forest user groups in Wisconsin. Because of this careful groundwork, the entire congressional delegation has joined me in supporting this bill. In addition, there is very strong support for this wilderness legislation in Wisconsin.

The four areas contained in this bill are: Porcupine Lake, comprising 4,235 acres in the Chequamegon National Forest; Kimball Creek, made up of 7,527 acres; Headwaters of the Pine, containing 8,872 acres; and the 3,705 acre area identified as Shelp Lake.

These last three areas are all located in the Nicolet National Forest. All three are adjoining, and will collectively be known as the Headwaters Wilderness. (I would like to point out, however, that the areas are identified separately to make it clear that Congress does not intend to close the roads that run between the areas. They are distinct tracts and it is not the intent of this legislation that the roads that run between them be closed).

Wisconsin has long been a leader in calling for the reasonable use and protection of our environment. In fact, many of the leaders in the environmental field have been from Wisconsin, including John Muir, Sigurd Olson and Aldo Leopold.

Mr. Leopold once described the importance of timely action in protecting wilderness as follows: "Wilderness is a resource which can shrink but not grow. Invasions can be arrested or modified in a manner to keep an area usable either for recreation or for science, or for wildlife, but the creation of new wilderness in the full sense of the word is impossible."

As you know, efforts to review the Nation's roadless areas to identify the parcels suitable for wilderness designation have been underway for many years. The most recent roadless area review and evaluation, RARE II, was completed in 1979. Since that time, efforts have progressed to designate wilderness areas. While there has been no concensus on national legislation to address all of the areas identified in RARE II, many bills have been adopted to designate wilderness areas on a State by State basis.

Although there were many supporters for identifying new wilderness areas in Wisconsin, efforts were stalled until earlier this year. At that time, groups who were interested in forest service lands and the wilderness issue met to discuss Wisconsin's RARE II lands. (Mr. Chairman, I would like to supply a list of those who attended this meeting to the committee at this time). These groups agreed about many issues surrounding new wilderness areas, but remained deadlocked on a number of key points.

It is significant to note at this point, that unlike many other States, the forest users in Wisconsin agreed among themselves that not all of the lands recommended for wilderness in RARE II should be managed as wilderness. Where most States add to the RARE II lands, Wisonsin dropped three areas from recommendation for wilderness management.

After the forest users meeting in February, I began to work more closely with these groups to see if a compromise could be reached on a Wisconsin wilderness bill. The two key points of difference between these groups centered around: (1) special management for two areas not to be managed as wilderness, and, (2) the reevaluation of areas not identified, as wilderness.

After months of negotiations, we reached a compromise that led to this legislation. The committee has received language for the committee report that details the agreement reached by forest users of Wisconsin. First, that report language provides for special management of a 60 acre old timber stand in the Round Lake study area, and 900 acres in the St. Peters Dome and study area.

Second, the forest users in Wisconsin reached a compromise on how to manage lands not designated in this legislation as wilderness. This issue has become known as "release language." Under the compromise that the people of Wisconsin reached, the standard "soft release" language is used. This is the language that all wilderness bills that have become law since RARE II have used. The people of Wisconsin agreed that language should be included in the committee report that describes the forest planning cycle, and specifies when released areas would again be subject to consideration for wilderness.

Mr. Chairman, the people of Wisconsin have reached a compromise on wilderness lands in Wisconsin. That compromise is broadly supported. I urge this committee to support the will of the people affected.

The entire Wisconsin congressional delegation has joined me in supporting this legislation. Senator Proxmire joined me as an original co-sponsor of this bill. His assistance was most helpful in drafting the legislation. A few days after S. 1610 was introduced, a companion bill was introduced in the House of Representatives. Every Member of the House from Wisconsin has joined in co-sponsoring this bill. The House has adopted the companion bill to S. 1610 without amendment.

Today, we have representatives of some of the key groups who helped negotiate the compromise that led to this legislation. Tom Schmidt played a key role in this compromise representing the interests of the Wisconsin paper council. Bill Schultheis is here today to testify on behalf of the John Muir chapter of the Sierra Club. In addition, Dan Meyer will testify on behalf of Consolidated Papers, Inc., one of the largest commercial users of Wisconsin's forests.

Two people which the committee invited to testify today could not attend. In a few days, I will present testimony on behalf of Dr. Bob Engelhard of the College of Natural Resources of the University of Wisconsin. Today, I would like to submit testimony on behalf of Steve Sorenson of the Sigurd Olson Environmental Institute.

Finally, many constituents have contacted me to express their support for the Wisconsin wilderness bill. I would like to submit a few of their letters for the record on this issue.

Mr. Chairman, I believe that the subcommittee has before it today a package that is in Wisconsin's and the Nation's best interest. I believe that this subcommittee should move quickly so that there will be no delay in adopting this measure.

LAKELAND AUDUBON SOCIETY, INC.,
Elkhorn, Wis., November 6, 1983.

Senator ROBERT KASTEN,
U.S. Senate, Washington, D.C.

DEAR SENATOR KASTEN: The Executive Committee of Lakeland Audubon serving 200 members in Walworth, Kenosha, Racine and Waukesha counties voted unanimously to support your efforts to establish wilderness areas in Chequamegon and Nicolet National Forests. We realize that SB 1610 is a bill that will get through Congress precisely because it does not limit mining, grazing, forest etc. within its language, and we accept it as the best available solution. We wish you well in your efforts to move the bill through the Senate Agricultural Committee.

I have again contacted National Audubon in D.C. for its support of the Wisconsin Wilderness bill, I can not be sure what they will do. Ed Brigham and Carol Beim of the Regional Office in Minneapolis, however, have assured me they will be sending testimony for the hearing.

I have been unable to contact officers of the state or other local chapters that would help immediately. You should be hearing from the Wisconsin Environmental Network and Environmental Decade.

Please let us know if and when there will be House hearings on this bill.

Thank you for your concern and for meeting with me last week. It was a tremendous experience.

Sincerely,

JOANNE WILLIAMS,
Legislative Chair.

RESOURCES FOR CHILDREN,
Milwaukee, Wis., November 7, 1983.

Senator ROBERT KASTEN,
Hart Senate Office Building,
Washington, D.C.

DEAR SENATOR KASTEN: Resources for Children, a local group devoted to upgrading children's environments, wishes to join you in supporting Wilderness status for areas in Chequamegon and Nicolet National Forests. We are well over 300 miles from these areas, and most of us are too poor to afford vacations, but we recognize the need for totally natural areas. We support your efforts to make these areas into Wilderness and commend you for your efforts.

Thank you for your consideration on behalf of all the residents of Wisconsin.

Sincerely,

KATIE HEINEN, *President.*

NORTHEASTERN WISCONSIN AUDUBON SOCIETY,
Denmark, Wis., August 8, 1983.

Senator ROBERT KASTEN,
Russell Senate Office Building,
Washington, D.C.

DEAR SENATOR KASTEN: We want you to know the N.E.W. Audubon Society supports the Wisconsin Wilderness Bill which you introduced as S. 1610 on 7-13-83. We are, of course, always interested in any bills which have to do with preserving and protecting our environment.

We hope you will also work to strengthen the clean water and clean air acts and to address the problem of acid rain.

Yours truly,

LAVONNE E. GALBRAITH,
Corresponding Secretary.

Marinette, Wis., October 4, 1983.

Senator ROBERT W. KASTEN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KASTEN: I am writing you to express my appreciation for your support of the National Wilderness Preservation System. Your willingness to help balance the protection of unique natural areas and the needs of the forest products industry in Wisconsin is commendable. Your bi-partisan efforts with Senator Proxmire also deserve special attention.

The Headquarters Wilderness (Nicolet National Forest) and Porcupine Lake area (Chequamegon National Forest) additions to the Wisconsin Wilderness Act, S. 1610, will add much to the National Forest system. The "soft" release language in the bill is also a 'plus.' It is a shame that three areas in the Chequamegon National Forest were omitted from the bill.

Again, thank you for all your efforts.

Very truly yours,

ANDREAS J. RHUDE.

MILWAUKEE, WIS., *September 15, 1983.*

SENATOR KASTEN: I would like to express to you my appreciation concerning the introduction of two wilderness act bills, namely H.R. 3578 and S. 1610. Having hunted in one of the proposed areas, the "headwaters wilderness" in the Nicolet National Forest, I have deep feelings for this areas remoteness and wildness and I think that declaring this area as wilderness would be a sound management plan. This areas significance to the national system I think, will be realized in years ahead as the coniferous forest matures and provides habitat for a number of wildlife species that live in the older climax forest. Species such as black bear, timber wolf and fisher. Of course, these areas will also provide people of Wisconsin and the nation with many forms of non-consumptive recreation such as backpacking, camping, birding, nature photography and canoeing to name a few.

I also would like to thank you for including the "soft release" language that pertains to the omitted areas in this legislation.

I feel that Wisconsin's contribution to the national wilderness preservation system can be a significant one if the lands now under consideration are formally declared as wilderness. Thank you very much for your time.

Sincerely,

FRED RETZLAFF.

JOSEPHINE W. RENTZ,
Madison, Wis., September 9, 1983.

Senator ROBERT KASTEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KASTEN: We were glad to hear that you and Senator Proxmire and Congressman Obey were able to work together to formulate and introduce wilderness bills to preserve in pristine condition large areas of both the Chequamegon and the Nicolet National Forest—S. 1610 and its companion bill in the H.R.

We who live in Wisconsin's north country are indeed glad to see the prospect of preserving this area as wilderness it's delightful to get a bit of good news for a change! We surely hope for a quick passage of these bills by the Congress.

Sincerely,

JOSEPHINE AND FRANK RENTZ.

MADISON, WIS., *September 14, 1983.*

Hon. ROBERT KASTEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KASTEN: Thank you very much for your work on S. 1610. I certainly appreciate this effort to preserve Wisconsin's wilderness. I would also like to encourage you to oppose any bills including "hard" release or potential wilderness.

Sincerely.

HANS NOELDNER.

SEPTEMBER 22, 1983.

DEAR SENATOR KASTEN: I, as many others, appreciate your efforts pertaining to the Wilderness Bill (S. 1610) which affects the Porcupine Lake area in Chequamegon National Forest and the Headwaters in the Nicolet National Forest. In the future, I will learn more about impending legislation, its effects, and my responsibilities. Wilderness preservation is important since it is as much a part of our history and heritage as old buildings or artifacts.

Respectfully,

REBECCA A. LATORRACA.

JAMES JEFFERSON,
Sparta, Wis.

Hon. Senator KASTEN,
U.S. Senate,
Washington, D.C.

DEAR SIR: I am writing you about the Wis. Wilderness Areas proposed in S. 1610. Thank you for the support and concern directed towards this bill. Please work extra hard for its passage.

It is really nice to know we can add more land to the Wisconsin Wilderness system. Would you also consider adding St. Peter's Dome, Flynn's Lake and Round

Lake to the bill. If this can't be done at least see if they can be reconsidered at a later date.

The "soft language" used in this bill was nice to see and I wholly support this type of thing.

Thanks again for supporting and directing this bill. Please urge all involved to vote positive on S. 1610.

Thank you,

JIM JEFFERSON.

THREE LAKES, WIS., *August 25, 1983.*

Senator ROBERT KASTEN,
Russell Senate Office Building,
Washington, D.C.

DEAR SENATOR: We would like to express support for the Wisconsin Wilderness Bill S. 1610.

Some of these descriptions are within our home area and we would be interested in seeing some of the forest area handled in this way. We feel that there is ample National Forest lands to meet everyone's preferred use, so no one would be deprived.

Thank you for your support.

Sincerely,

NORMAN BREWSTER.
JEAN BREWSTER.
IDA M. CUNNINGHAM.

HEINZ BERNER,
Milwaukee, Wis., September 26, 1983.

Re S. 1610, the Wisconsin Wilderness Act.

Hon. ROBERT KASTEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KASTEN: Environmental issues are of crucial importance to me and millions of Americans. I hope you recognize this reality and help us pass the upcoming wilderness bills, based on "soft release" language. Please support the conservationist efforts to secure the future of the entire National Wilderness Preservation System.

Sincerely,

H. BERNER.

MILWAUKEE, WIS., *September 20, 1983.*

DEAR SENATOR KASTEN: I am writing to applaud and encourage your support of bills designating wilderness areas in Wisconsin. Would you please also push for wilderness designation for St. Peters Dome in Chequamegon National Forest?

I also thank you for supporting "soft release" language pertaining to undesignated areas.

Sincerely,

GLENN ASCH.

P.S.: Please save the Muscatatuck National Wildlife refuge and other threatened refuges from Watt.

FRANKLIN, WIS., *September 16, 1983.*

DEAR SENATOR KASTEN: I'm writing in support of the Wisconsin Wilderness Act H.R. 3578, S. 1610.

However, I'd also like it to include 3 areas omitted from the bill: Flynn Lake, St. Peter's Dome and Round Lake.

It is also important that the wilderness bill include the "soft release" language.

I and my husband are campers and hikers and appreciate the outdoors. Steps have to be taken to ensure that there still is a great outdoors as our population expands in the decades to come.

Sincerely,

PAULINE BECK

CLINIC OF ORTHOPEDIC SURGERY CHARTERED,
Fond Du Lac, Wis., September 14, 1983.

Hon. ROBERT W. KASTEN, Jr.,
221 Russell Senate Office Building, Washington, D.C.

DEAR SENATOR: Thank you very much for the excellent job you have done representing us in the congress. I realize how much time and effort it takes to do the quality of job in a position you hold and your constituents certainly appreciate the personal sacrifices you have made.

Your positions to maintain the quality of our environment both within Wisconsin and the United States have been appreciated in the past and I once again urge you to continue your stand on a protection of our environment with support of the clean water act including the proposed amendment to control non-pinpoint pollution.

Yours very truly,

BRUCE H. HARTMAN, M.D.

UNIVERSITY OF WISCONSIN/STEVENS POINT,
Stevens Point, Wis., November 16, 1983.

Senator ROBERT KASTEN,
Senate Office Building, Washington, D.C.

DEAR SENATOR KASTEN: In reponse to your request for our comments on S. 1610. We support the establishment of the four RARE II Areas in the Nicolet and Chequamegon National Forests. The addition of some 24,000 acres to the Wilderness System and the release of 70,000 to multiple use will help achieve a balanced program on Wisconsin's two National Forests.

We would add an expression of concern about the continued erosion of the land base available for multiple use, especially the land available for timber management activities. The very viable timber industry, jobs and economy of Wisconsin are heavily dependent on an available source of wood for forest products manufacturing. We hope the passage of S. 1610 will resolve once and for all the issue of wilderness establishment so that Forest Service can move ahead in the management of Wisconsin's federal forest land.

Thank you for the opportunity to make our views known.

Sincerely,

RODNEY ROLLARD.
WILLIAM H. KEARLY.
CHRISTY T. HAUGE.
JAMES E. JOHNSON.
JOHN E. HAUGHTON.
CARL LEE.
JAY H. CRAVENS.
The Forestry Faculty.

UNIVERSITY OF WISCONSIN/STEVENS POINT,
Stevens Point, Wis., November 16, 1983.

Senator ROBERT KASTEN,
Senate Office Building, Washington, D.C.

DEAR SENATOR KASTEN: In response to your request for comments on S. 1610; we support the establishment of four RARE II Wilderness Areas in the Nicolet and Chequamegon National Forests. However, a RARE III program would be redundant and wasteful of taxpayers money by funding such study. Abundant information on which to make land use decisions is presently available.

Sincerely,

RICHARD GEESEY,
Associate Professor, Forest Recreation.

ROBERT MILLER,
Professor of Urban Forestry.

STATEMENT OF THOMAS H. SCHMIDT, EXECUTIVE DIRECTOR, WISCONSIN PAPER COUNCIL

My name is Thomas H. Schmidt. I am executive director of the Wisconsin Paper Council located in Neenah, Wisconsin. The Council is the trade association representing the pulp, paper and allied industries in Wisconsin.

On behalf of our member firms, I am here today to testify in support of S. 1610 sponsored by Senators Robert Kasten and William Proxmire and endorsed by the nine representatives from Wisconsin.

I must point out, however, that the Wisconsin Paper Council is reluctantly supporting this legislation which addresses wilderness designations in our state.

The reason for our qualified support is our deep concern over the need for increased forest productivity, not only in Wisconsin, but nationally, and the negative impact resulting from additional wilderness designations.

Before I specifically address S. 1610, I'd like to provide you with a brief overview of the paper and forest products industries in Wisconsin and our concerns over wilderness designations.

BACKGROUND ON THE WISCONSIN PAPER, FOREST PRODUCTS INDUSTRIES

Wisconsin leads the nation in the annual production of paper as well as the diversity of paper products. Our annual output approximates 3.5 million tons.

The impact of the paper and forest products industry on the state economy is enormous. For example, some 48,000 men and women are employed in the "Paper and Allied Industries" classification. They earn an annual payroll in excess of $1.2 billion while supporting jobs of another 120,000 non-paper industry employees. In addition, the industry is a remarkably stable employer.

It is also important to note that the forest products industry, of which pulp and paper is the key ingredient, employs some 70,000 workers and is the leading employer in 24 of the state's 72 counties and is the second or third largest employer in another 13 counties.

The paper and forest products industry is the key to the economic vitality of many Wisconsin communities and the paper industry is regarded by many people to be the economic backbone of the state economy.

The paper industry is dependent upon our forest resource base—state and national, private and public—as 75 percent of all paper produced in Wisconsin is derived from wood fiber. The remaining 25 percent is derived from recycled fiber. Productive, well-managed forests are obviously the lifeline of the Wisconsin paper and forest products industries.

There is another reason for our concern about forest productivity. According to studies conducted by the United States Forest Service, a nationwide shortage of fiber is possible by 2030 unless steps are taken now to increase the productivity of our renewable forest resource base. In Wisconsin, shortages may surface as early as 2000, according to estimates from the Wisconsin Department of Natural Resources.

We are concerned that the area of public and private land available for continuous growth and harvesting of repeated timber crops is shrinking, both in Wisconsin and nationally. At the same time, public demand for fiber for housing and paper, for recreational and other purposes is expected to double. It is a disturbing trend emphasizing the need for increased productivity on all classifications of available commercial forest land.

This loss of productivity is exemplified in Wisconsin by the fact that 4,133 cords of softwood pulpwood will be lost annually if the four areas under consideration for wilderness are formally approved.

Granted, these are not large amounts, however, one must also view it in light of the fact that the Wisconsin pulp and paper industry is currently importing 80 percent of its softwood fiber needs.

It is also important to keep in mind that wilderness areas are by design undermanaged, under-utilized. This single-purpose management approach—while appropriate in select, unique circumstances—should not be applied broadly to the detriment of society, in general. Only a multiple-use management approach can provide the basics for our society; timber production, watershed protection, wildlife management, recreation, hunting and fishing, roads for fire protection, and access to camping and sporting areas.

WISCONSIN PIONEERS W'LDERNESS CONCEPT

In addressing the questions of wilderness designation for USFS land in Wisconsin, one must keep in mind that Wisconsin is a national leader in conservation and preservation policies.

In addition to the 13,490 acres already designated as wilderness on the Chequamegon and Nicolet National Forests, Wisconsin established the first state system of wilderness, wild rivers, wild areas, scientific areas, endangered species and other sensitive areas. Our wild river system, for example, covers 630 miles and contains 220,000 acres. The other designated areas total approximately 100,000 acres.

Wisconsin is also in the center of a wilderness-abundant area. A total of 1,200,054 acres has alrady been designated wilderness on federal lands in the Upper Great Lakes Region.

PAPER COUNCIL POSITION ON S. 1610

The Wisconsin Paper Council is obviously concerned about S. 1610. In the past, we have strongly opposed wilderness designations unless a proposed area has unique environmental or aesthetic qualities that need to be protected.

As for S. 1610, the Council has modified its position, and in a spirit of cooperation and consensus, agrees to support S. 1610 provided that the Committee report includes the following recommendations:

(1) That further wilderness review, unless specifically authorized by Congress, will not be undertaken in Wisconsin until 2000 (during the next planning cycle of the USFS which is scheduled to commence in 1995).

(2) That the USFS be directed to take appropriate measures to increase productivity on lands not included in the wilderness program.

(3) That the USFS give special management consideration to St. Peter's Dome/ Morgan's Falls and to the virgin white pine stand near Round Lake.

It is my understanding that all parties involved in developing this "agreed" upon bill support these provisos.

Hopefully, the passage of S. 1610, including the provisos recommended for inclusion in the Committee report, will resolve this troublesome issue in Wisconsin once and for all.

Thank you for this opportunity to comment.

STATEMENT OF SIGURD OLSON ENVIRONMENTAL INSTITUTE

Since the implementation of the U.S. Department of Agriculture's Roadless Area Review and Evaluation, the Sigurd Olson Environmental Institute has been educating the public on wilderness issues. While sponsoring workshops for wilderness management professionals and offering comment on wilderness proposals, the Institute has listened long and carefully to the broad spectrum of opinions reacting to potential wilderness designations. We have spoken with farmers, loggers, factory workers, students, resort owners, backpackers, hunters, fishermen and many more.

From what we have heard, "wilderness" is a much maligned, misunderstood land management status loved by some, doubted by many.

"The problem," as stated by a resident of Bayfield County, "is that wilderness contradicts itself. In order for an area to be preserved, it must be supported by the public. But if an area is too popular, it no longer offers the solitude and primitive experience necessary to really be wild."

Support for the Wisconsin Wilderness Bill is widespread. Chequamegon and Nicolet National Forest Service officials have carried out a concerted effort to involve representatives from environmental and industrial organizations in the state in reviewing seven potential wilderness areas. The four areas being proposed gained their support through the recognition of the need for wild areas in the state, including the need for wilderness recreation opportunities and wild habitat for the sustenance of Wisconsin wildlife. Fortunately these areas are not currently so popular that they are being overrun, nor is it foreseen by the Forest Service that they will experience carrying capacity overloads in the near future. Biologically, they represent the stable, northwoods ecosystems which perpetuate plant and animal diversity so important to our interconnected survival.

The political opportunity to designate these areas as wilderness is a mature one. By managing them as wilderness, however, Porcupine Lake and the Headwaters Wilderness will have characteristics within their boundaries typically associated with wilderness enhanced in the long run. In the years ahead these areas will become calibrated indicators of Wisconsin's environmental well-being as wilderness management provides for the natural succession of plant and animal species.

The foresight spawned by Congressional designation will be appreciated for generations to come, both by those who will use the resource and those who won't. During our programming many people have expressed to us their appreciation for setting an area aside, even if they never visit it. Just knowing it's there, undisturbed, brings some measure of peace of mind in much the same way Sigurd Olson addressed the issue twenty-five years ago:

"We need to preserve a few places, a few samples of primevial country so that when the pace gets too fast, we can look at it, think about it, contemplate it, and somehow restore equanimity to our souls."

Sigurd F. Olson, Address to Utah Academy of Sciences, Provo, Utah, May 1958.

The Sigurd Olson Environmental Institute of Northland College, Ashland, Wisconsin, recommends passage of the Wisconsin Wilderness Bill for the following reasons:

a. It provides needed expansion of primitive recreational opportunities. This need is based on the growing national demand for access to public land under a variety of management designations.

b. It provides a land management status allowing for the undisturbed, natural evolution of plant and animal species.

c. While public opinion supports the designation of these areas, their popularity is not overwhelmingly pressuring their natural carrying capacity.

d. The intangible value of wilderness is measured by its opportunities for solitude and reflection. It is a measure untouched by dollars and cents. Designation of these areas as wilderness will contribute substantially to the availability of those opportunities now and for many years in the future.

e. We perceive that this bill will resolve the differences between pro- and anti-wilderness interests in the state.

Thank you very much for the invitation to present our comments on the Wisconsin Wilderness Bill. It has been our pleasure to be involved in the development of this proposal.

ST. PETERS DOME—MORGAN FALLS

The St. Peters Dome-Morgan Falls area is one of national significance. Located in Ashland County, Wisconsin, Town of Marengo, Sections 20, 28, 29, 30, 31, 32, 33 and parts of sections 19 and 21 (T 45 N–R 4 W), in the Chequamegon National Forest with a total of nearly 3,900 acres, it affords visitors opportunities for solitude, opportunities for a primitive recreational experience by virtue of its natural integrity.

Morgan Falls drops from a height of 80–100 feet placing it the third highest waterfall in Wisconsin. In the midst of the meeting place of several fracture zones from the Keweenaw Thrust Fault from the east and the Crystal Lake/Atkins Lake and Owen Thrust Faults from the west, the exposed rock at the falls and in the gorge below the dome portray geologic events of more than 500 million years ago. The extrusion from the earth's surface which formed these rocks in a sudden cooling is evident from the fine texture of the granophyre composed of feldspar, quartz, magnetite and mafics. There are some small, locally occurring copper deposits to the immediate west (Section 25, Lincoln Township, T 45 N–R 5 W) and the Roadless Area Review and Evaluation, 1978, indicated the presence of iron ore deposits on approximately 1,000 acres. The accessibility of these deposits, however, when compared to known iron ore deposits in the Penokee Range to the east, makes these unattractive for mineral development. Its historical geologic significance is heightened by the view from the dome of glacial Lake Duluth, the unconformities of mineralizations and the large number of outcroppings of some of the oldest rock in the world. St. Peters Dome is known locally as Mt. Baldy for its lack of vegetation and persistent north slope snow cover in spring. It rises over 400 feet from the Morgan Creek Gorge to a peak of 1,560 feet above sea level. It offers an unlimited vista to Lake Superior and the Bayfield Peninsula to the north from its bald face and a wide view of the Penokee Range and the Marengo Hills from its south and western slopes. The dome provides the solitude of a "listening point" described by Sigurd F. Olson as "a point of discovery, a place of departure . . . from which one can glimpse the immensity of space and the grandeur of creation."

From the top of this huge outcropping one gets a sense of history for the Lake Superior watershed. The view is spectacular and best appreciated alone or with a small group of friends. A permanent, Congressional designation limiting (even prohibiting) further development would ensure a natural carrying capacity for the area. Already used by backpackers and day hikers in the summer and cross-country skiers, snowmobilers and snowshoers in the winter who seek an undisturbed recreational experience, any increase in motorized use by the development of roads and trails would detrimentally affect the integrity of the experience for backpacker, hiker, skier, snowshoer and snowmobiler. Access to the area is limited by natural barriers (streams, rock outcrops and steep slopes) although handicapped access may be obtained on horseback.

The trail to Morgan Falls begins from FR 199 moving east on FR 630 to the old Civilian Conservation Corps campground. This road is not maintained and current access is mostly by foot; several tributaries to Morgan Creek prohibit most motorized access. The footpath to the falls follows the course of the stream enclosed by an array of wilderness vegetation. In the spring the wetland flowers are abundant.

Marsh marigolds, early meadow rue, interrupted fern, ostrich fern, bloodroot and trillium have been observed. The falls is primitive in the purest sense of the word; the course of the stream's fall over the cliff is dictated by the exposed, fractured rock and a natural bathtub occurs about 10 feet up from the base. A cool, moist microclimate supporting ferns, mosses and lichens is attributable to the rocks and falls enclosing a small canyon.

The Morgan Falls and St. Peters Dome area is one of the best examples of the northern hardwood-conifer forest which covers most of northern Wisconsin. Dominant tree species in the area include sugar maple, yellow birch, eastern hemlock and basswood but many others occur as well. Closer to the falls some very large hemlock, mountain maple and white spruce occur accompanied by several mature yellow birch.

Bird species recorded on a spring inventory (May 10, 1983) were: winter wren, yellow-bellied sapsucker, black throated green warbler, blue jay, rose breasted grossbeak, oriole, common flicker, phoebe, least flycatchers, ravens and a bald eagle. Bald eagles have been sighted soaring above the beaver pond on Morgan Creek and several bald eagles' nests have been located by the Wisconsin Department of Natural Resources in the adjacent townships south and west of this wild piece of the northwoods.

The rugged hiking trail from the campground to the dome is a little better than three miles (round trip). It skirts the edge of the gorge overlooking Morgan Creek, climbing out of the cool, moist microclimate and into the drier, surrounding uplands. The dominant species of trees still includes the mixed hardwood-conifers. The brilliant colors of the maples in the fall of the year are overwhelming. The forest floor is carpeted with spring flowers and shrub components are typical of the northern forest: diervilla, choke cherry, mountain ash and ironwood. The steepness of the trail limits its use to hiking, skiing, snowshoeing or horseback riding. A snowmobile trail climbs from a softer slope.

By far the most undisturbed section of this area lies below and to the east of the dome in the Morgan Creek Gorge. Bluffs rising one to two hundred feet from the forest floor enclose an isolated portion of the streambed; as the creek drops over rocks and small falls, it creates excellent fishing holes for brook trout passing through habitat for bear, fox and other small mammals. There are no fisherman's trails here; one must find a way over the rocks as the red granite bluffs rise majestically from either side of the creek. It is primitive and solitary.

Considering all of the features of this special place, the Sigurd Olson Environmental Institute is concerned for the use pattern that will affect Morgan Falls, St. Peters Dome and the Morgan Creek Gorge in the future. As a Congressionally designated Wilderness Area, Wilderness Study Area or even National Recreation Area, it will be assured the protection necessary for those of generations to come to understand the solitude, the geologic history, the truly northwoods ecosystem. Congressional designation will also assure undisturbed habitat for the reproduction of plant and animal communities that are now well established there.

The possibility of disruptive development under any other jurisdictional authority is too great a risk for an area so significant to all generations of this country. It is the consensus of the Sigurd Olson Environmental Institute that this area be included in the wilderness proposal for Wisconsin's Nicolet and Chequamegon National Forests so its natural integrity, opportunities for solitude and primitive recreational experiences be permanently preserved.

Statement of the National Forest Products Association

Headquartered in Washington, D.C., the National Forest Products Association (NFPA) is a federation of twenty-nine regional product and species associations and fifteen direct member companies. NFPA represents the growers, manufacturers, and wholesale distributors of solid wood products throughout the United States.

We concur with the position taken by the forest products industry in Wisconsin and give "qualified support" to S. 1610. Further, we agree with the deep concern expressed by these industry members over "the need for increased forest productivity, not only in Wisconsin, but nationally and the negative impact resulting from additional wilderness designations."

However, we would like to base our statement today on the inadequate "release" language in the bill, which does not provide long-term certainty that the lands not designated as Wilderness will remain available for non-Wilderness uses. Logging has played an important role in the history and development of Wisconsin and is

still providing a major contribution to the culture and economic health in many of its communities.

Managing a forest is a very long-range proposition. What you will be able to harvest 40 to 80 years from now depends on what you do today. The actions you take, or don't take today, will have consequences for generations still unborn.

The basic element in forest management is the land base. Forest managers must know how much land is available for management—and will continue to be available.

In 1973 to help stabilize the national forest land base, the Forest Service undertook a study known as RARE II, the Forest Service's second Roadless Area Review and Evaluation.

The aim of RARE II was to let Congress and the public settle which lands are to be available for general recreation and commodity uses and which for Wilderness, so that all the roadless land would not be tied up indefinitely simply because it was potential Wilderness.

In 1979, eight years after the study of these lands began, the Carter Administration announced its recommendations for using the land: 15 million acres would be added to the nation's Wilderness system; 36 million acres would be returned to non-Wilderness multiple uses; and 11 million acres would be studied further. The Administration sent the recommendations to Congress since only Congress can designate land as Wilderness.

Technically, the lands recommended for non-Wilderness in RARE II are available for multiple use management. But in reality, any decision the Forest Service makes about developing land is likely to be met with an array of appeals, court suits, and political action.

As long as uncertainty remains about the use of these lands, the forest industry must realistically consider them as potential Wilderness. This affects investment decisions and the industry's ability to meet demand for wood products in the future.

From the timber industry's point of view, the key resolution of the roadless area issue is reasonable Wilderness designations and the implementation of:

(1) Strong and clear "sufficiency" language to end legal challenges based on RARE II, and

(2) "Release" language to provide some element of certainty for a reasonable period of time.

Wilderness classification provides permanent protection for the allocated areas. A similar degree of protection should be provided for non-Wilderness areas. Release language, as contained in Sec. 3 of the bill provides very little protection. It provides release for only the "initial management plan" and only until the first "revision". The Forest Service's National Forest Management Act (NFMA) regulations provide that revisions may be considered at anytime. This means that as early as 1985 the Wilderness characteristics of roadless areas will again become a dominant factor in Forest Service planning and management. This so called "release" hardly provides stability in land management for the forest users of Wisconsin.

Section 3 of the bill contains adequate "sufficiency" language to end the threat of legal challenges to the RARE II Environmental Impact Statement, but unfortunately it does little to protect potential future multiple use management on the non-Wilderness RARE II lands. This can only be one with strong "release" language.

Section 3(b)(2) states that: ". . . The Department of Agriculture shall not be required to review the Wilderness option prior to the revision of the initial plans (to be completed by 1985) and in no case prior to the date established by law for completion of the initial planning cycle."

When should the Wilderness option for roadless areas again be considered? The initial plans are to be completed by September 30, 1985. The National Forest Management Act provides that a plan shall be in effect for no longer than 15 years before it is revised.

In this connection, S. 1610 should be amended to provide for release language similar to that contained in S. 543, the Wyoming Wilderness bill passed by the Senate earlier this year. This approach offers a realistic solution to a controversial problem by saying that the Wilderness option would be considered in each future planning generation begun after December 31, 2000.

Under this language, the Forest Service may conduct a timber sale in a roadless area and not be challenged on the basis that the area must be considered for Wilderness in a future planning cycle. Once into a second-generation plan, the Forest Service may, of course, manage a roadless area according to that plan and the Wilderness option could be considered at that time. In short, the Wilderness option must be considered in each future planning generation begun after December 31, 2000.

In summary, opportunities also exist to increase employment in the forest industry and in building and related service industries by improving National Forest timber productivity. For every timber industry job at least two more jobs in related industry are created, according to an independent consulting firm. We stress the need for strong "release" language that will provide stability and land management for the forest industry users of Wisconsin.

WISCONSIN SOCIETY OF AMERICAN FORESTERS,
Milwaukee, Wis., November 15, 1983.

Hon. ROBERT W. KASTEN, Jr.,
U.S. Senate, Washington, D.C.

DEAR SENATOR KASTEN: The Wisconsin Society of American Foresters has reviewed the proposed legislation to establish wilderness areas on Wisconsin national forests. The enclosed position statement is a result of that review. I would be grateful if you would forward our position to the appropriate Congressional committees.

Sincerely,

SAMUEL J. RADCLIFFE,
Chairman, Policy/Legislation Committee

Enclosure.

WILDERNESS AREAS IN WISCONSIN

A position of the Wisconsin Society of American Foresters.[1]

The Society of American Foresters has in recent years expressed a number of concerns regarding the allocation of National Forest lands to the National Wilderness Preservation System. One of the greatest concerns is that delays and uncertainty surrounding wilderness allocation decisions can impose significant opportunity costs. Therefore, the Society has recommended that Congress and the administration use the data and recommendations that resulted from the U.S. Department of Agriculture's second Roadless Area Review and Evaluation (RARE II), to expedite decisions on wilderness allocation. The Society has further recommended that the USDA Forest Service be directed to proceed in the management of nonwilderness areas in accordance with existing approved plans to meet the goals and outputs of the forest and region.

Two bills that were recently introduced in Congress, HR 3578 and S 1610, finalize the wilderness allocation process for the two national forests of Wisconsin, and authorize multiple use management of all areas not designated as wilderness. These bills will therefore eliminate the potential for further uncertainty in the management of roadless areas, and will facilitate planning under the Forest and Rangeland Renewable Resources Planning Act. The areas designated as wilderness were selected on the basis of Congressional review of the findings of RARE II, which despite its shortcomings, provides the best available scientific information on National Forest roadless areas. Therefore the Wisconsin Society of American Foresters recommends that Congress work in earnest to enact this legislation.

ABOUT THE SOCIETY

The Society of American Foresters, with approximately 22,000 members, is the only national organization representing all segments of the forestry profession of the United States including public and private practitioners, researchers, administrators, educators, and forestry students. The Wisconsin Society represents over 480 members.

Objectives of the Society are to advance the science, technology, teaching, and practice of professional forestry in America, and to use the knowledge and skills of the profession to benefit society.

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[1] Approve the Executive Committee of the State Society, Nov. 7, 1983. A position of the SAF expires automatically three years after its adoption.

NATIONAL AUDUBON SOCIETY,
Minneapolis, Minn., November 15, 1983.

Hon. ROBERT W. KASTEN,
U.S. Senate, Washington, D.C.

DEAR SENATOR KASTEN: The National Audubon Society supports the Wisconsin Wilderness Bill which would establish three wilderness areas in the Nicolet National Forest encompassing some 21,000 acres; and one area of 4,200 acres in the Chequamegon National Forest.

We believe such designation is necessary to provide further protection to the scenic, ecological and historical values of these areas.

In the State of Wisconsin, the National Audubon Society has more than 12,000 members and 15 local chapters as well as the Schlitz Audubon Center, the Audubon Ecology Camp in Wisconsin and several wildlife sanctuaries.

Sincerely,

EDWARD M. BRIGHAM III,
Regional Vice President.

STATEMENT OF PAUL N. GUTHRIE, JR., DIRECTOR, OFFICE OF INTERGOVERNMENTAL PROGRAMS, WISCONSIN DEPARTMENT OF NATURAL RESOURCES

The Wisconsin Department of Natural Resources is the responsible state agency for the planning and managing the protection, development and use of the water, air, forest, fish, game and other plant and wild animal resources of the state and for the management of environmental pollution abatement.

As the principal state agency for the management of state parks and forests, we have a continuing special interest and concern for the activities and designations in our adjacent National Forest System.

As such we wish to be formally on record in support of S-1610.

We are most pleased that this legislation proposes the addition of the four segments of Wisconsin National Forest land to the Wilderness system. Throughout each step in the lengthy study, identification, analysis and selection process, these areas have consistently been ranked as important sites by a wide ranging group of reviewers and agencies.

As a product of the Rare II identification process, these tracts have been comprehensively examined in extensive formal and informal review settings by both professionals and the general public. Since the conclusion of the Rare II process, public concern for these areas has continued culminating in the bipartisan effort now underway to gain congressional recognition. The nature of this effort is highlighted by the unanimous support for S 1610 and its companion (HR 3578) by all members of the Wisconsin Congressional Delegation.

Our analysis of this bill and the tracts proposed indicates no conflict with our statewide forestry plan or with any other plans and policies of the Department of Natural Resources.

In 1978 as a part of the RARE II process, these areas were recommended to the U.S. Forest Service by the Natural Resources Board. These recommendations were based upon aesthetic values and a desire for the protection of the resource.

In addition, again in the fall of 1978, the Wisconsin Scientific Areas Preservation Council also reviewed potential Wilderness areas and, after focusing on issues of biological diversity, topographic and land form variety, presence of representative natural plant communities, and significant geographic features, recommended these four areas either for immediate inclusion in the wilderness system or for continued study.

In short, as a Department we believe that the areas identified in S 1610 are universally agreed upon as significant and important areas in the National Forest System and that they should be designated as Wilderness areas. We urge Congressional approval of this bill.

[The following materials were inserted by Senator Jepsen:]

[Issue brief number IB83151]

WILDERNESS: ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

(By Ross Gorte, Environment and Natural Resources Policy Division, the Library of Congress, Congressional Research Service, Major Issues System)

ISSUE DEFINITION

The Wilderness Act established wilderness preservation as a legitimate use of public lands. Passed in 1964, the Wilderness Act created the National Wilderness Preservation System (NWPS), with an original area of 9 million acres. Since then, Congress has designated numerous additions, bringing the NWPS to a total of 80 million acres today. These areas have been included because of their beauty and their pristine nature, but the additions have often stirred controversy because preserving those characteristics often conflicts with developing the resources, notably energy and minerals, timber, and recreational areas. The implicit issue before Congress is the extent of the NWPS: How much wilderness is enough? When do the public benefits from additional wilderness no longer exceed the public losses from other resources remaining unused?

Congress currently has before it 43 bills which could create an additional 8.3 million acres in 20 States primarily in the national forests. Action on these bills is being stimulated in part by a 1980 court decision that threatened the validity of Forest Service recommendations for wilderness additions.

BACKGROUND AND POLICY ANALYSIS

Throughout much of history, wilderness has been considered a foreboding and undesirable place. Western cultures have emphasized pushing back wastelands and spreading civilization to primitive areas. It has only been in the last century that any action has been taken to preserve wild areas. The naturalist John Muir (1838–1914) was an early leader in the American movement toward the preservation of wilderness areas. The creation of national parks and national forests was a first step toward protecting the natural environment.

Beginning in 1897, management of the national forest emphasized conservation; however, it did not take long to recognize the need to preserve and protect some natural areas. In 1924, the Forest Service, acting at its own discretion, identified the first wilderness area in the Gila National Forest in New Mexico. In the succeeding decades, the system of wilderness, wild, and primitive areas identified by the Forest Service grew to 88 areas with 14.6 million acres. However, some people feared that the system was impermanent because the Forest Service was only using its administrative authority; there was no law guaranteeing the future of wilderness.

The Wilderness Act, passed in 1964, provided the first statutory authority for Wilderness. The act defined Wilderness as an area of Federal land that "generally appears to have been affected primarily by the forces of nature." Solitude and primitive recreation were identified as the primary uses of Wilderness areas. The Wilderness Act limited Wilderness to areas with more than 5,000 acres or which could be practically managed to maintain their primeval character.

The National Wilderness Preservation System (NWPS) was created with an initial endowment of 9.1 million acres of national forest lands. The Wilderness Act also gave Congress the sole authority to add to the NWPS. The act directed the Secretary of Agriculture to review the 5.5 million acres of primitive areas managed by the Forest Service and the Secretary of the Interior to evaluate the Wilderness potential of National Park Service and Fish and Wildlife Service lands. The Secretaries were to report their recommendations to the President and to Congress on the Wilderness potential for these lands within 10 years of the passage of the Wilderness Act. The Bureau of Land Management (BLM) was directed to conduct a similar analysis, with a similar time frame, by the Federal Land Policy and Management Act of 1976.

The Forest Service chose to expand the scope of the primitive area review to include all roadless areas greater than 5,000 acres in the national forests. This study, the Roadless Area Review and Evaluation (RARE), began in June 1970. Approximately 12.4 million acres in 274 areas were identified for the study by the Forest Service. There was substantial criticism of the study because eastern national forests, national grasslands, and all areas of less than 5,000 acres were excluded. RARE was abandoned in 1972 before any land use recommendations were made because of a lawsuit claiming 44 million acres were improperly excluded from the analysis.

The perceived failure of the RARE analysis was one of the reasons for the Eastern Wilderness Act of 1975. This law added 16 areas with nearly 207,000 acres to the National Wilderness Preservation System and directed the Forest Service to examine 17 other areas totalling 125,000 acres; all of these lands are east of the 100th Meridian (which runs from North Dakota through Texas). It also suggested less restrictive criteria for wilderness areas in the East.

The Forest Service began a second wilderness study, RARE II, in June 1977. The examination was broader in scope than the first effort; the analysis included over 62 million acres in 2,919 areas. The recommendations were released on Jan. 4, 1979. Over 15.1 million acres (24.3 percent of the area reviewed in RARE II) was recommended for addition to the NWPS. Another 10.8 million acres (17.4 percent of the RARE II area) was to be studied further in the Forest Service land use planning process. The remaining 36.2 million acres (58.3 percent of the area studied) were to be managed for uses other than wilderness, including logging, grazing, recreation developments, wildlife habitat improvement, energy and mineral development, and motorized recreation. On Apr. 16, 1979, President Carter presented Congress with the Forest Service proposal virtually unchanged; less than 1 million acres were shifted among the recommended categories by the Carter Administration. The Reagan Administration has generally endorsed the Forest Service recommendations in congressional testimony.

RARE II was carried out as an acceleration of the planning process mandated for the national forests by the Forest and Rangelands Renewable Resources Planning Act of 1974 and the National Forest Management Act of 1976. This differed from the original RARE study, which was conducted without congressional direction for Forest Service planning. RARE II was also done within the requirements of the National Environmental Policy Act of 1969 (NEPA), and thus public response was a significant factor in shaping the recommendations.

In July 1979, the State of California sued the Forest Service. The State was dissatisfied with the RARE II recommendations in California, and claimed that the analysis did not meet the requirements of NEPA for 46 areas in California that were recommended for uses other than wilderness. On Jan. 8, 1980, a U.S. District Court judge ruled that the RARE II Final Environmental Statement, with respect to the 46 areas specified in the suit, did not meet the requirements of NEPA, and therefore was an inadequate basis for management. An injunction prohibited development in those 46 areas. The Forest Service appealed the decision, but on Oct. 22, 1982, the 9th Circuit Court of Appeals upheld the lower court ruling.

As a result of the ruling, John Crowell, Assistant Secretary of Agriculture for Natural Resources and Environment, directed the Forest Service to reevaluate all RARE II recommendations for States within the on-going land use planning process. Congress has exempted some States from this reevaluation by enacting statewide wilderness bills; to date, only Alaska, Colorado, Indiana, Missouri, New Mexico, and West Virginia have bills with the exempting language (known as release language). Reevaluation is delaying the completion of management plans for other States by 6 to 24 months. Most plans, and therefore Wilderness recommendations, are expected to be finished by 1987.

One controversial aspect of the reevaluation is that all areas will be reexamined. Many groups felt that the study should be limited to areas recommended for multiple-use management since this was the focus of the California lawsuit. However, the Forest Service stated that it might be vulnerable to lawsuits from commodity-oriented groups if the Wilderness recommendations were not also reexamined. Critics assert that the position was intended to provoke the exempting legislation that has ensued.

Another controversial aspect is the decision to proceed with activities currently planned for the roadless areas recommended for multiple-use (excluding areas under the court injunction). Many groups claimed that the principle of the injunction should be extended to all RARE II areas, halting any developments until the reevaluation is completed. The Forest Service defended the decision, stating that only a limited area would be affected and that there was no congressional support for such a moratorium on development. However, the Forest Service also states that there will be no activity in any area designated as Wilderness in any bill which has passed in either House of Congress until a law is signed or the bill dies.

POLICY ISSUES

Additions to the NWPS often lead to controversy because Wilderness areas have strict management limitations. The Wilderness Act directs that these areas be managed to protect and preserve their natural condition. Since Wilderness areas are

"undeveloped Federal land . . . without permanent improvements," all permanent improvements are prohibited; this includes roads, structures, fences, and other facilities used for recreation, grazing, and resource development and use. Wilderness designation also requires natural conditions, so harvesting timber and building campgrounds are also prohibited. Exceptions to these management limitations are occasionally included for specific areas, but this is generally only to permit existing uses to continue; thus, historic use of motorboats and airstrips, for example, is sometimes allowed.

The Wilderness Act provided one major exception to the management restrictions. Mineral exploration and leasing were allowed in Wilderness areas for 20 years after the law was enacted, until Dec. 31, 1983. However, no permits for exploration or leasing in a Wilderness area were considered until James Watt became Secretary of the Interior in 1981. Litigation halted a drilling application in the Bob Marshall Wilderness in Montana that year. Congress also acted, placing a moratorium on leasing and exploration in the Department of the Interior appropriations laws for fiscal year 1982 and fiscal year 1983. Before he resigned, Secretary Watt agreed to extend the moratorium through the Dec. 31 deadline in the Wilderness Act.

Much of the debate over Wilderness designations has been directed toward the national forests. Both the Forest Service and the BLM manage their lands for multiple uses, but to date only the Forest Service has completed a Wilderness examination and made recommendations; the BLM is not required to finish its Wilderness review until 1986. Conflicts arise because multiple-use management can include exploring for minerals and fuels, constructing roads, and harvesting timber. These activities and other resource developments are incompatible with preserving Wilderness characteristics. Thus, the multiple-use management of the national forests leads to conflict between those who seek to preserve our national environment and those who seek to extract its resources. The regulations for managing the national parks largely restrict or prohibit development, so Wilderness designations in the parks cause fewer conflicts. Development is allowed in the National Wildlife Refuges as long as wildlife habitat is maintained, but developments that would conflict with Wilderness are still relatively uncommon.

In the RARE II analysis, the Forest Service examined both the potential value for resource development and the Wilderness attributes of the areas. Five resource outputs were considered in analyzing development potential: timber yield, grazing capacity, total recreation use, potential for energy resources, and proven and potential reserves of critical minerals. Four Wilderness characteristics were examined: landform, ecosystems, wildlife, and access. Landform was measured as the percent representation of the Nation's 40 basic landform types (mountains, beaches, lava flows, etc.); the ecosystem component was the representation of the 241 basic natural ecosystems in the United States. Wildlife was assessed by examining the potential impacts on 29 species that are typically associated with undisturbed habitats. Access was measured by the increase in availability of Wilderness areas to urban populations.

The alternatives presented in the Draft Environmental Statement were based on various weightings of the potential resource outputs and the Wilderness attributes. It should be noted that the affect on resource outputs was displayed in tables for each output for every alternative, whereas the Wilderness attributes were aggregated into a Wilderness attribute rating. The proposed alternative presented in the Final Environmental Statement was based on public comments on the alternatives in the Draft Environmental Statement and the professional judgment of Forest Service personnel.

CURRENT ACTIONS

Since the completion of RARE II, Congress has been considering Wilderness designations in the national forests by individual States. Nationwide RARE II legislation introduced in the 96th and 97th Congresses failed to pass either House. Six statewide bills have been enacted since the RARE II recommendations were sent to Congress. The 96th Congress enacted statewide bills for Alaska, Colorado, and New Mexico, and added some areas to the NWPS in Idaho and Montana. In the 97th Congress, statewide bills were enacted for Indiana, Missouri, and West Virginia, with an additional national forest area designated in Alabama.

To date, 43 bills have been introduced in the 98th Congress to designate Wilderness areas. There are 25 statewide bills; the area included is 5.1 million acres of national forest land plus 1.5 million acres in the national parks in California. The other 18 bills deal with only 1 or a few areas in a State; these would add at least 1.7 million acres to the above figure. One bill (S. 96) has been signed into law (P.L. 98–

140): the Lee Metcalf Wilderness in Montana. One other bill, the Irish Wilderness Act of 1983 (S. 64) designating 17,562 acres in Missouri passed both Houses, but it still needs to go to conference to resolve an acreage difference.

There are three States with large and controversial designations: Oregon, California and Wyoming. The Oregon bill, H.R. 1149, has passed the House. It adds 1,128,875 acres to the NWPS. This is nearly 3 times the area recommended for Wilderness in RARE II and includes 382,612 acres recommended for non-Wilderness uses. There are 3 California bills under consideration: S. 5, S. 1515, and H.R. 1437 (which has passed the House). S. 1515 adds 1,203,230 acres of national forests and 1,414,580 acres of national parks to the NWPS; these are very close to the Forest Service and National Park Service recommendations. H.R. 1437 is identical on designating national park Wilderness, but adds 2,332,330 acres of national forests to the NWPS. S. 5 is similar to H.R. 1437, but designates 88,843 acres more in the national parks and 179,100 acres less in the national forests. Wyoming is controversial in the other direction. The 2 bills, S. 543 and H.R. 1568, designate less than two-thirds of the RARE II Wilderness recommendation (635,729 and 651,049 acres, respectively); both prohibit further Wilderness consideration until after Dec. 31, 2000.

Concerns over the management of the areas recommended for multiple-use has led Congress to include a provision called release language in most statewide Wilderness bills. One version, known as soft release, permits the Forest Service to not evaluate Wilderness potential in the current effort to develop land use plans, although Wilderness will be considered when these plans are revised. Soft release language also allows the Forest Service to plan for activities in those areas not added to the NWPS by the legislation.

This other version, called hard release, specifically directs non-wilderness management on areas not designated Wilderness in the bill. In its most rigorous form, hard release prohibits any future evaluations of Wilderness potential in these areas. Some bills are less restrictive, extending the prohibition to some specified future date, usually in 1995 or 2000. Both versions of release language prohibit the Forest Service from conducting another statewide Wilderness review independent of land use planning.

The legal status of the RARE II recommendations that was questioned in the California lawsuit has also been addressed in recent legislation. The provision is called sufficiency language. It says that Congress has reviewed national forest roadless areas in the state, and that, "without passing on the question of the legal and factual sufficiency of the RARE II—the Final Environmental Statement," the national forest lands in that State "shall not be subject to judicial review." The intent of the sufficiency language is to eliminate NEPA as a basis for legal challenge to the RARE II recommendations.

At present, over 80 million acres of Federal land have been included in the National Wilderness Preservation System. Table 1 identifies which agencies manage these lands and their general locations. The vast majority of Wilderness acreage is in Alaska under the jurisdiction of the Secretary of the Interior. However, in the lower 48 states, the Forest Service in the Department of Agriculture manages most of the Wilderness areas, and the pending legislation focuses on the national forests.

TABLE 1.—EXISTING AND POTENTIAL WILDERNESS

(Thousands of acres)

	U.S. Department of the Interior			U.S.D.A. Forest Service
	National Park Service	Fish and Wildlife Service	Bureau of Land Management	
Total Designated	[1]35,526	19,330	17	25,512
Eastern United States	1,720	539	0	1,172
Western United States	1,270	113	17	18,887
Alaska	32,355	18,678	0	5,453
Total Proposed	[2]10,364	3,437	0	7,074
Eastern United States	992	55	0	481
Western United States	9,371	3,382	0	6,593
Alaska	0	0	0	0
Under Study	[3]28,571	57,749	28,786	12,420
Eastern United States	1,313	0	0	561
Western United States	4,366	0	24,286	7,369
Alaska	22,871	57,749	4,500	4,491

TABLE 1.—EXISTING AND POTENTIAL WILDERNESS—Continued

[Thousands of acres]

	U.S. Department of the Interior			U.S.D.A. Forest Service
	National Park Service	Fish and Wildlife Service	Bureau of Land Management	
Current Bills	1,926–2,014	0	296–327	4,575–5,946
Eastern United States	511	0	0	490–625
Western United States	1,415–1,503	0	296–327	4,085–5,321
Alaska	0	0	0	0

[1] Includes 184,263 acres that have been designated and will be added when the current nonconforming uses cease (122,138 acres in the East and 62,125 acres in the West).

[2] Includes 141,160 acres that have been recommended but currently have nonconforming uses occuring (51,410 acres in the East and 89,750 acres in the West) and 45,926 acres that have been recommended but are not in Federal ownership (all in the West).

[3] Includes 1,055,233 acres that are under study but are not in Federal ownership (632,294 acres in the East and 422,939 acres in the West).

Source: U.SA. Department of the Interior and Department of Agriculture. Eighteenth annual report on the status of the National Wilderness Preservation System. Unpublished. 45 pages.

LEGISLATION

BILLS ADDRESSING ALL FOREST SERVICE ROADLESS AREAS IN ONE STATE

H.R. 9 (Fuqua)/H.R. 2326 (Fuqua)/S. 465 (Chiles and Hawkins).

Florida Wilderness Act of 1983; latter 2 identical. All 3 designate 49,150 acres of Wilderness; RARE II recommended 53,153 acres. Contain soft release and sufficiency language. Treat phosphate leases differently than the treatment vetoed by President Reagan in 1982. H.R. 2326 substituted for H.R. 9 by House Interior and Insular Affairs Committee. Reported June 1, 1983 (H. Rept. 98–102). Passed House June 6. H.R. 9 and S. 465 referred to Senate Energy and Natural Resources Committee.

H.R. 623 (Kildee).

Michigan Wilderness Heritage Act of 1983. Adds 90,390 acres to the NWPS; RARE II recommended 51,854 acres for Wilderness and the remainder for multiple-use management. Contains no release or sufficiency language. Introduced Jan. 6, 1983; referred to Committee on Interior and Insular Affairs.

H.R. 1149 (Weaver et al.).

Oregon Wilderness Act of 1983. Designates 1,128,875 acres of Wilderness, nearly 3 times the area recommended by RARE II (388,014 acres); RARE II only proposed another 358,249 acres for further planning, and the rest for multiple-use management. Contains soft release and sufficiency language. Reported by Interior and Insular Affairs Committee Mar. 2 (H. Rept. 98–13). Passed House Mar. 21. Referred to Senate Committee on Energy and Natural Resources. Hearings held July 21, Aug. 25, and Oct. 20, 1983.

H.R. 1437 (Burton, P. et al.)/S. 5 (Cranston).

California Wilderness Act of 1983. H.R. 1437 designates 2,332,330 acres of national forests and 1,414,580 of national parks as Wilderness. S. 5 adds 2,153,230 acres of national forests and 1,503,423 acres of national parks to the NWPS. RARE II recommended 1,293,599 acreas of national forests for Wilderness and 2,793,226 more for further planning; the National Park Service recommended 1,449,580 acres for Wilderness in the national parks. Both contain soft release and sufficiency language. H.R. 1437 reported by Committee on Interior and Insular Affairs Mar. 18 (H. Rept. 98–40). Passed House Apr. 12. S. 5 introduced Jan. 26, 1983. Both bills referred to Senate Committee on Energy and Natural Resources. Hearings held July 28; S. 1515 also considered (see below).

H.R. 1568 (Cheney)/S. 543 (Wallop and Simpson).

Wyoming Wilderness Act of 1983; identical bills except for a difference in 1 of the 7 areas. H.R. 1568 adds 651,049 acres and S. 543 adds 635,729 acres to the NWPS; RARE II recommended 995,076 acres for Wilderness. Both contain sufficiency and hard release language, prohibiting further Wilderness considerations until Dec. 31, 2000. Both introduced Feb. 22, 1983. S. 543 reported by Committee on Energy and Natural Resources Apr. 5 (S. Rept. 98–54). Passed Senate Apr. 13. Both referred jointly to Agriculture and Interior and Insular Affairs Committees. The latter held hearings June 28.

H.R. 2275 (Jeffords)/S. 897 (Stafford and Leahy).

Identical bills. Add 64,800 acres to the NWPS in Vermont; RARE II recommended no Wilderness and only 28,680 acres for further planning. Neither bill contains release or sufficiency language. Both introduced Mar. 23, 1983. H.R. 2275 referred to Committee on Interior and Insular Affairs; hearings held July 9 in Vermont. S. 897 referred to Energy and Natural Resources Committee. (Compare to H.R. 4198, below).

H.R. 2452 (Anthony).

Arkansas and Oklahoma Wilderness Act of 1983. Adds 42,367 acres in Arkansas and 12,924 acres in Oklahoma to the NWPS; RARE II recommended 24,364 acres and 12,209 acres for Wilderness in the 2 States, respectively, and 38,301 acres for further planning in Arkansas. Contains sufficiency and hard (permanent) release language. Introduced Apr. 11, 1983; referred jointly to Committees on Argiculture and Interior and Insular Affairs. Separate hearings held May 26; H.R. 2917 also considered (see below).

H.R. 2477 (Flippo et al.).

Sipsey Wilderness Additions Act of 1983. Adds 27,865 acres to the NWPS; RARE II recommended 7,720 acres for Wilderness and 28,834 acres for further planning. Contains sufficiency and soft release language. Reported June 1, 1983 (H. Rept. 98-98). Passed House June 6. Referred to Senate Agriculture Committee.

H.R. 2669 (Wilson, C.).

Designates 8,790 acres of Wilderness in Texas; identical to RARE II recommendation. Contains no release or sufficiency language. Introduced Apr. 20, 1983. Committee on Interior and Insular Affairs held hearings Nov. 7; H.R. 3788 also considered (see below).

H.R. 2917 (Bethune).

Arkansas Wilderness Act of 1983. Adds 119,580 acres to the NWPS (all in Arkansas); RARE II recomended 24,364 acres for Wilderness and 38,301 acres for further planning. Contains soft release and sufficiency language. Introduced May 5, 1983. Committees on Agriculture and on Interior and Insular Affairs held separate hearings May 26; H.R. 2452 also considered (see above).

H.R. 3578 (Obey et al.)/S. 1610 (Kasten and Proxmire).

Identical bills. Add 24,339 acres to the NWPS in Wisconsin; RARE II recommended 39,387 acres for Wilderness. Contains sufficiency and soft release language. H.R. 3578 introduced July 14, 1983; referred jointly to Committees on Agriculture and on Interior and Insular Affairs. Latter held hearings Nov. 3, S. 1610 introduced July 13. Agriculture Committee scheduled hearings Nov. 16.

H.R. 3788 (Bryant).

Adds 63,700 acres to the NWPS in Texas; RARE II recommended 8,784 acres for Wilderness and 18,032 acres for further planning. Contains neither sufficiency nor release language. Introduced Aug. 4, 1983. Committee on Interior and Insular Affairs held hearings Nov. 7; H.R. 2669 also considered (see above).

H.R. 3921 (Gregg and D'Amours)/S. 1851 (Humphrey and Rudman).

White Mountain National Forest Wilderness Act of 1983; identical bills. Add 77,000 acres to the NWPS in New Hampshire; RARE II recommended 33,043 acres for Wilderness. Contain sufficiency and soft release language. H.R. 3921 introduced Sept. 19, 1983; referred jointly to Committees on Agriculture and on Interior and Insular Affairs. Latter held hearings Oct. 28. S. 1851 introduced Sept. 15. Committee on Agriculture held hearings Nov. 8.

H.R. 3960 (Clarke et al.).

North Carolina Wilderness Act of 1983. Adds 65,740 acres to the NWPS; identical to RARE II recommendation. Contains sufficiency and soft release language. Introduced Sept. 22, 1983; referred jointly to Committees on Agriculture and on Interior and Insular Affairs. Latter held hearings Oct. 28.

H.R. 4198 (Jeffords).

Vermont Wilderness and Recreation Area Act of 1983. Designates 41,260 acres of Wilderness; RARE II recommended no Wilderness and only 28,680 acres for further planning. Contains sufficiency and soft release language. Creates a 36,400-acre National Recreation Area on Green Mountain National Forest in Vermont. Introduced Oct. 24, 1983; referred jointly to Committees on Agriculture and on Interior and Insular Affairs.

H.R. 4262 (Duncan)/S. 1947 (Sasser and Baker).

Great Smoky Mountains Wilderness Act; identical bills. Add 511,000 acres to the NWPS in Tennessee and North Carolina: 467,000 acres is national park, 44,000 was Tennessee Valley Authority. National Park Service recommended 390,900 acres for Wilderness. H.R. 4262 introduced Nov. 1, 1983; referred to Committee on Interior and Insular Affairs. S. 1947 introduced Oct. 7; referred to Committees on Energy and Natural Resources.

H.R. 4263 (Duncan).

Tennessee Wilderness Act of 1983. Adds 24,655 acres to the NWPS; RARE II recommended 3,887 acres for Wilderness and 45,080 acres for further planning. Contains sufficiency language and soft release for 2 Tennessee counties, 47.5% of the Cherokee National Forest. Introduced Nov. 1, 1983; referred jointly to Committees on Agriculture and on Interior and Insular Affairs.

S. 837 (Gorton and Jackson).

Washington State Wilderness Act of 1983. Designates 363,400 acres Wilderness; identical to RARE II recommendation. Contains soft release and sufficiency language. Introduced Mar. 17, 1983; referred to Committee on Energy and Natural Resources. Hearings held Sept. 30.

S. 1515 (Wilson).

California Wilderness Act of 1983. Adds 1,203,230 national forest acres and 1,414,580 national park acres to the NWPS. RARE II recommended 1,293,599 acres for Wilderness in the national forests; National Park Service recommended 1,449,580 acres of national park Wilderness. Provides that sufficiency and release be discussed, but does not contain release or sufficiency language. Introduced June 21, 1983; referred to Committee on Energy and Natural Resources. Hearings held July 28; H.R. 1437 and S. 5 also considered (see above).

OTHER BILLS

P.L. 98-140, S. 96.

Lee Metcalf Wilderness and Management Act of 1983. Adds 257,000 acres in Montana to the NWPS; 4,000 acres are BLM land, the remainder is national forests (reflects a 13,000-acre adjustment made since Senate passage). Specifies a 35,500-acre special management area on national forests. Directs a land exchange between the Forest Service and Burlington Northern Railroad. Reported by Energy and Natural Resources Committee Mar. 3, 1983 (S. Rept. 98-16). Passed Senate Apr. 13. Reported by Committee on Interior and Insular Affairs. Oct. 5 with an amendment adding 2,000 acres (H. Rept. 98-485). Passed House Oct. 6. Senate accepted House amendment. Signed into law Oct. 31, 1983.

H.R. 662 (Pritchard and Lowry).

Cougar Lakes Wilderness Act of 1983. Adds 271,750 acres in 1 area in Washington to the NWPS; part of the acreage (over half, but not precisely determinable) recommended by RARE II and included in S. 837 (see above). Introduced Jan. 6, 1983; referred to Committee on Interior and Insular Affairs.

H.R. 1575 (Lujan/S. 285 (Domenici and Bingaman).

Bisti Badlands Wilderness Act; identical bills. Add 3,968 acres of BLM land in New Mexico to the NWPS and create an additional 19,922-acre BLM Wilderness Study Area. H.R. 1575 introduced Feb. 22, 1983. Committee on Interior and Insular Affairs held hearings May 21 and Oct. 21; H.R. 3766 also considered (see below). S. 285 introduced Jan. 31, 1983. Committee on Energy and Natural Resources held hearings May 17. (Compare to H.R. 3766/S. 1740, below.)

H.R. 2724 (McNulty et al.)/S. 626 (Goldwater and DeConcini).

Aravaipa Canyon Wilderness Act; identical bills. Designate one BLM area of 6,670 acres in Arizona as Wilderness. S. 626 reported by Committee on Energy and Natural Resources Aug. 4 (S. Rept. 98-209). Passed Senate Sept. 13. H.R. 2724 introduced Apr. 25. Committee on Interior and Insular Affairs held hearings Sept. 13. (No relation to H.R. 3562/S. 1611, below.)

H.R. 3562 (Stump et al.)/S. 1611 (DeConcini et al.).

Arizona Strip Wilderness Act of 1983; identical bills. Designate a total of 394,900 acres Wilderness: one national forest area in Arizona (38,200 acres); one joint national forest and BLM area in Arizona (77,100 acres); two BLM areas in Arizona and Utah (129,600 acres); and five BLM areas in Arizona (150,000 acres). Provide soft release for specific national forest areas. Both introduced July 13, 1983. H.R. 3562 referred jointly to Committee on Agriculture and on Interior and Insular Affairs. Latter held hearings Sept. 13. S. 1611 referred to Energy and Natural Resources Committee. (No relation to H.R. 2724/S. 626, above.)

H.R. 3766 (Richardson) S. 1740 (Bingaman).

San Juan Basin Wilderness Protection Act of 1983; identical bills. Add 35,033 acres in 3 BLM areas in New Mexico to the NWPS; include both areas in H.R. 1575/S. 285. Both introduced Aug. 3, 1983; referred to House Committee on Interior and Insular Affairs and Senate Committee on Energy and Natural Resources, respectively. Former held hearings Oct. 21; H.R. 1575 also considered (see above).

S. 64 (Danforth and Eagleton)/H.R. 2170 (Volkmer et al.)

Irish Wilderness Act of 1983; nearly identical bills. Both add 1 area of 17,562 acres in Missouri to the NWPS. H.R. 2170 provides authorization to acquire adjacent private land. S. 64 reported by Committee on Energy and Natural Resources Mar. 31, 1983 (S. Rept. 98-45). Passed Senate Apr. 13. Referred to Interior and Insular Affairs Committee. Hearings held on bills July 14. S. 64 reported Aug. 1 with an amendment deleting 1,000 acres with potentially commercial lead deposits (H. Rept. 98-337). Passed House Aug. 2.

S. 2032 (Hart)

Colorado National Forest Wilderness Act of 1983. Adds 735,515 acres to the NWPS; 1,505 acres are BLM land, and the remainder is national forests. Also directs maintenance of Wilderness character in 1 national forest further planning area, 74,770 acres. (NOTE: the Colorado Wilderness Act of 1980, P.L. 96-560, designated 1,423,130 acres of national forest Wilderness and contained soft release langauge). Introduced Oct. 31, 1983; referred to Committee on Energy and Natural Resources.

HEARINGS

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U.S. Congress. Senate. Committee on Agriculture, Nutrition, and Forestry. Subcommittee on Environment, Soil Conservation, and Forestry. RARE II Wilderness proposals. Hearings, 96th Congress, 1st session. Feb. 6, 8, and 9, 1979. Washington, U.S. Govt. Print. Off., 1979. 343 pages.

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U.S. Congress. Senate. Committee on Energy and Natural Resources. Subcommittee on Public Lands and Reserved Water. RARE II Review Act of 1981. Hearings, 97th Congress, 1st session. Apr. 22 and June 17, 1981. Washington, U.S. Govt. Print. Off., 1982. 930 p. Publication no. 97-60.

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Landers, Rich. Concern in Montana: test drilling in Wilderness area leaves conservationists chilled. In Extension of Remarks of Don Young. Congressional Record [daily ed.] v. 125, Oct. 15, 1979: 28351-28352.

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Oregon Wilderness Act of 1983. (Debate and vote in the House) Congressional Record [daily ed.] v. 129. Mar. 21, 1983: H1396-H1428.

Seiberling, John F. Timber industry Wilderness relief bill discards negotiated compromise. Remarks in the House. Congressional Record [daily ed.] v. 127, June 23, 1981: H3235-H3236.

U.S. Congress. House. Committee on Agriculture. Florida Wilderness Act of 1983; report to accompany H.R. 9, including cost estimate of the Congressional Budget Office. Washington, U.S. Govt. Print. Off., 1983. 7 p. (98th Congress, 1st session. House. Report No. 98-102, Part. 2).

U.S. Congress. House. Committee on Interior and Insular Affairs. Designating certain National Forest System and other lands in the State of Oregon for inclusion in the National Wilderness Preservation System, and for other purposes; report together with concurring and dissenting views to accompany H.R. 1149 including the cost

estimate of the Congressional Budget Office. Washington, U.S. Govt. Print. Off., 1983. 34 p. (98th Congress, 1st session. House. Report No. 98-13, Part 1).

U.S. Congress. House. Committee on Interior and Insular Affairs. Entitled the "California Wilderness Act of 1983"; report together with minority and supplemental views to accompany H.R. 1437, including the cost estimate of the Congressional Budget Office. Washington, U.S. Govt. Print. Off., 1983. 63 p. (98th Congress, 1st session. House. Report No. 98-40).

Wilderness Protection Act of 1982. (Debate in the House) Congressional Record [daily ed.] v. 128, Aug. 9, 1982: H5459-H5471.

Wilderness Protection Act of 1982. (Debate in the House) Congressional Record [daily ed.] v. 128, Aug. 12, 1982: H5766-H5785.

CHRONOLOGY OF EVENTS

Feb. 1, 1983—Assistant Secretary of Agriculture Crowell announced the decision to reevaluate the RARE II Wilderness recommendations for the national forests.

Oct. 22, 1982—The Ninth Circuit Court of Appeals upheld the lower court decision in favor of the State of California and against the Forest Service.

Nov. 1, 1981—BLM released the list of Wilderness Study Areas, reducing the area under consideration from 173.8 million acres to 24.3 million acres.

Dec. 2, 1980—P.L. 96-487, the Alaska National Interest Lands Conservation Act, signed. More than tripled the NWPS by adding 56.3 million acres to the existing 23.5 million. Provided first legislative release language for management of national forests.

Jan. 8, 1980—U.S. District Court judge in San Francisco ruled in favor of the State of California and against the Forest Service.

July 1979—State of California initiated lawsuit against the Forest Service, claiming the RARE II Final Environmental Statement did not meet NEPA requirements.

Apr. 16, 1979—President Carter presented Wilderness recommendations for the national forests to Congress, recommending 15.6 million acres of Wilderness.

Jan. 4, 1979—Forest Service released RARE II Final Environmental Statement, recommending 15.1 million acres for Wilderness, 36.2 million acres for non-Wilderness uses, and 10.8 million acres to be studied further.

June 1979—Forest Service initiated RARE II.

Jan. 3, 1975—P.L. 93-622, the Eastern Wilderness Act, signed. Added over 200,000 acres to the NWPS in the east, and suggested less restrictive criteria for eastern Wilderness areas.

00/00, 1972—RARE abandoned because of a lawsuit claiming the analysis was improperly limited.

00/00, 1970—Forest Service initiated Roadless Area Review and Evaluation (RARE).

Sept. 3, 1964—P.L. 88-577, the Wilderness Act, signed. Established the National Wilderness Preservation System, with an initial endowment of 9.1 million acres.

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[Prepared at the request of Hon. Roger W. Jepsen, Chairman, Subcommittee on Soil and Water Conservation, Forestry, and Environment, Committee on Agriculture, Nutrition, and Forestry]

Analysis of Proposals for Wilderness in Wisconsin

(By Ross W. Gorte, Analyst in Natural Resources Policy, Environment and Natural Resources Policy Division, Congressional Research Service, the Library of Congress)

For its second nationwide study of wilderness potential (called RARE II), the Forest Service identified 21 roadless areas in Wisconsin in addition to the 2 Wilderness study areas designated in the Eastern Wilderness Act (P.L. 93-622). The total area under consideration was 115,262 acres in 23 areas on two national forests in Wisconsin (the Chequamegon National Forest and the Nicolet National Forest). The Forest Service recommended 55,953 acres for wilderness status: 4 areas with 18,923 acres on the Chequamegon, including one of the wilderness study areas, and 5 areas with 37,030 acres on the Nicolet. On October 21, 1978, 2 of these areas, with 13,200 acres, were added to the National Wilderness Preservation System (P.L. 95-494).

In July 1983, identical bills were introduced in the House and the Senate to create two new wilderness areas, one on each of the national forests in Wisconsin (S. 1610 and H.R. 3578). The new area on the Chequamegon National Forest would be Porcupine Lake, with 4,253 acres; the other three areas recommended by the Forest Service are not included in these bills. On the Nicolet National Forest, the new wilderness area, Headwaters of the Pine, would be composed of the three contiguous RARE II areas recommended by the Forest Service for wilderness. The total new wilderness acreage proposed in the bills, including recent adjustments, is 20,104 acres. This analysis focuses on the areas proposed in S. 1610 and on the 14,040 acres in three areas recommended for wilderness by the Forest Service but excluded from the bill. Timber and recreation are the uses most affected by wilderness designations, although there are some special considerations in Wisconsin; wildlife habitat and watershed protection are also important uses of the national forests, but neither is significantly affected by potential wilderness designations in Wisconsin.

TIMBER

Timber is an important part of the Wisconsin economy. Over 13 percent of employment in manufacturing is in the lumber and paper industries. Actions which affect the supply of raw materials for these industries can affect employment. However, the actions would have to be substantial because timber is growing twice as fast as it is being cut in the State, and timber mortality is only one-eighth of growth.

The Chequamegon and Nicolet National Forests are important timber suppliers in Wisconsin. They include one-twelfth of the commercial forest land and over 10 percent of the total timber inventory. However, two-thirds of Wisconsin commercial forest land is privately owned. The timber on the national forests is average compared to that on other ownerships, although only industry-owned lands have a higher concentration of the more valuable softwoods. The Forest Service is one of the largest suppliers of timber in Wisconsin because most of the private land is in small holdings.

As a general rule, roadless areas tend to be less productive timber growing sites than the surrounding forest. The most productive and profitable sites are normally harvested first, leaving lower quality sites until later. This certainly seems true on the Nicolet National Forest, where all three areas included in S. 1610 are below average in potential timber growth. On the Chequamegon, two of the recommended areas, including Porcupine Lake in S. 1610, are above average in potential productivity. However, Porcupine Lake does have relatively low density of timber, which would cause higher logging costs.

Removing sites with low productivity or high logging costs from consideration as timber-producing areas could improve the net income from the national forests. Table 1 displays the receipts and costs for selling timber on the Wisconsin national forests for FY82. This clearly shows the receipts from timber sales, and the net returns to the U.S. Treasury, are substantially below the costs associated with selling timber in Wisconsin. Excluding investments in road construction and timber stand improvement does not help the picture much. Eliminating sites with low productivity from timber production could allow more intensive management on the more productive timber sites.

TABLE 1.—REVENUES AND COSTS FROM FOREST SERVICE TIMBER SALES IN WISCONSIN

	Chequamegon National Forests	Nicolet National Forests
Total timber sales (fiscal year 1982)	$715,000	$975,000
County payments	178,750	243,000
Returns to the U.S. Treasury (including road investments)	536,250	731,250
Timber sale costs:		
Preparation and administration	797,000	834,000
Resources support	246,000	747,000
K–V reforestation and TSI	103,000	205,000
Total direct costs	1,146,000	1,786,000
Investment costs	1,022,000	1,347,000

Source: U.S. Congress. House. Committee on Appropriations. Subcommittee on the Department of the Interior and Related Agencies. Department of the Interior and Related Agencies Appropriations for 1984. Hearings (part 11), 98th Congress, 1st session, Mar. 22 and 23, 1983. Washington, U.S. Government Printing Office, 1983. 1,394 pages.

Still, the potential impact of wilderness on Forest Service timber sales is important locally. Most of the roadless areas in RARE II have some volume in the programmed harvest for the forests. The total annual programmed harvest in all RARE II areas in Wisconsin is 2.2 million board feet, almost two percent of the current Forest Service programmed harvest in Wisconsin (114 million board feet for fiscal year 1984). Reducing the programmed harvest could reduce timber sales. The average sales level from fiscal year 1974 through fiscal year 1982 was 103 million board feet, 49 million on the Chequamegon National Forest and 54 million on the Nicolet. These sales levels are about 90 percent of the current programmed harvests for the forests, and each forest has exceeded its programmed harvest at least once in the past five years. This suggests that reducing the programmed harvest, as wilderness designation would do, could affect the timber sale program for the Forest Service. Table 2 shows how the Forest Service recommendations and S. 1610 might affect timber sales. The maximum annual revenue loss as a result of S. 1610 is calculated to be about $21,300. This assumes a reduction in timber sales equal to the programmed harvest, 1.5 million board feet in the Forest Service recommendation and 0.9 million board feet in S. 1610. The reduction is valued at the average value of timber cut on the national forests for fiscal year 1974 through fiscal year 1983: $10.29 per thousand board feet on the Chequamegon National Forest and $14.18 on the Nicolet. It should be noted that reducing timber sales could be a financial gain for the Federal Government since the Forest Service spends over $2 in direct costs for every $1 in revenues in Wisconsin.

TABLE 2.—POSSIBLE EFFECTS ON NATIONAL FOREST TIMBER SALES IN WISCONSIN

	Programmed harvest million board feet	Maximum gross revenue loss
Forerst Service recommendation:		
Chequamegon National Forest	0.7	$7,200
Nicolet National Forest	.8	11,300
S. 1610:		
Chequamegon National Forest	.1	1,000
Nicolet National Forerst	.8	11,300

Source: U.S. Forest Service data.

One concern when discussing revenue reductions for the Forest Service is the impact on Forest Service payments to counties. However, the overall payments to Wisconsin counties would be unaffected by any change in the Forest Service timber sale program. The Forest Service is required to return 25 percent of its revenues to the counties where the national forests are located. If Forest Service revenue dropped by $12,300 annually, their payments to Wisconsin counties would drop by $3,075. However, the counties also receive payments from the Bureau of Land Management under the Payments in Lieu of Taxes Act of 1976 (PILT) which would

make up this difference. Counties get a maximum PILT payment of $0.75 per acre of Federal land, but other Federal revenue-sharing offsets these PILT payments (to a minimum of $0.10 per acre). Forest Service payments to counties have been between $0.20 and $0.50 per acre for the Wisconsin national forests in recent years, with PILT payments making up the remainder to the limit of $0.75 per acre. Thus any reduction in Forest Service payments would be equaled by a rise in PILT payments.

Reductions in overall harvest on the Chequamegon National Forest might not occur even if the proposed wilderness areas are enacted. The potential yield for the Chequamegon is 71 million board feet, 33 percent higher than the current programmed harvest. The programmed harvest can be increased by more than any reductions due to wilderness designations if more money is invested in timber management on more productive sites on the Chequamegon. However, only future appropriations for timber management on the national forests will determine if this increase in the programmed harvest can be sustained. Increasing the current programmed harvest on the Nicolet National Forest is not a possibility, because the programmed harvest is already at the potential yield.

If a major concern is long-run timber supply for the forest industry, investment in private lands may be preferable to investments on the national forests. The Forest Service, through the Agricultural Stabilization and Conservation Service, provides assistance to non-industrial landowners for planting trees and improving timber stands. Non-industrial landowners dominate the supply potential in Wisconsin, accounting for 60 percent of the commercial forest land. In fiscal year 1982, the Forest Service assistance to private landowners for planting trees was $72 per acre in Wisconsin. These costs may be substantially lower than investments on the national forests; the average reforestation cost in Region 9 (which covers Missouri through Maryland and points north) was $174 per acre on the national forests. However, additional investments on the non-industrial private lands will not provide any added timber supply for the timber industry in the short run.

RECREATION

Recreational opportunities are a major attraction of Wisconsin. The national forests account for about one-fourth of the public land in the State and therefore play a significant role in providing recreation. S. 1610 would add 1.6 percent of the forests to the National Wilderness Preservation System, bringing the total wilderness in Wisconsin to 2.9 percent of the national forests.

There are basically two categories of recreation on public lands: developed use and dispersed use. Developed recreation occurs at sites where some investment has been made to enhance recreational opportunities. Dispersed recreation is the use that occurs elsewhere on the public lands.

Developed recreation use on the national forests in Wisconsin was over a half million visitor days in fiscal year 1982. The primary uses were camping and access to lakes for fishing and boating. These uses would be prohibited in the designated wilderness areas.

Dispersed recreation use on the Chequamegon and Nicolet National Forests was over one million visitor days in 1982. Dispersed recreation often occurs along the roads and trails scattered throughout the national forests. During the summer, the primary uses are hiking and backpacking. In the winter months, ski touring and snowmobiling are popular activities on the national forests. Snowmobiling is the only one of these uses that would be excluded by a wilderness designation. No information is available on the snowmobile use of the areas proposed in S. 1610 or recommended by the Forest Service. The possibility of shifting the current use to other areas is unknown.

SPECIAL CONSIDERATIONS

There are three additional factors which might influence a wilderness designation decision in Wisconsin. In one of the areas, St. Peter's Dome, there are current mining interests and an existing oil well. If the Wilderness Act (P.L. 88–577) is applied strictly, the well either disqualifies the area as wilderness or should be removed: it contradicts the definition of wilderness. However, the Eastern Wilderness Act recognized a greater need for wilderness in the more heavily populated East, although it did not alter the definition. This Act and other laws have designated areas that do not strictly meet the criteria in the 1964 Wilderness Act. Still, this non-conforming use may distract from the wilderness qualities of the area.

Another factor in the amount of non-Federal land which would be surrounded by national forest wilderness areas. The Forest Service estimated it would cost over $3

million to acquire the 1,955 acres of private land in the Headwaters of the Pine area on the Nicolet National Forest. The Wilderness Act guarantees the right of access to non-Federal lands within wilderness areas, and such access could destroy the wilderness quality of part of the area. Thus consideration should be given to authorizing the acquistion of these lands, to altering the boundaries to avoid the problem, or to developing use arrangements with the private owners who wish to keep their lands in a similar natural condition.

Finally, it should be noted that one area in the Headwaters of the Pine has been singled out by the State of Wisconsin as a special area. The State Preservation System, S. 1610 would more than double this area. However, it should be noted that the lack of a wilderness designation does not automatically mean the area will be developed. Even without such protection, multiple-use management might keep these areas roadless for many years or even permanently; such decisions will be made in the forest plans for the Chequamegon and Nicolet National Forests.

[Prepared at the request of Hon. Roger W. Jepsen, Chairman, Subcommittee on Soil and Water Conservation, Forestry, and Environment, Committee on Agriculture, Nutrition, and Forestry]

Wilderness Release Language

(By Ross W. Gorte, Analyst in Natural Resources Policy, Environment and Natural Resources Policy Division, Congressional Research Service, the Library of Congress)

Recent wilderness bills have been hotly debated by several national interest groups. One focus of the debate is release language. Environmental groups support the version known as soft release, while the industry groups strongly prefer hard release language. This paper briefly outlines what release language is, why it was developed, and the concerns over the soft and hard versions.

WHAT IS RELEASE LANGUAGE?

Release language identifies when the Forest Service must restudy areas for wilderness potential and gives directions for the management of roadless areas until they are restudied. The differences between hard and soft release are in the timing of the restudy and in the directions for management in the interim.

Soft release language permits the Forest Service to not restudy the wilderness option in the initial forest plans that are currently being developed under the directions of the Forest and Rangelands Renewable Resources Planning Act of 1974 (P.L. 93-378), as amended by the National Forest Management Act of 1976 (P.L. 94-588). (These laws are hereafter referred to as "the RPA as amended.")

In a specific example, soft release says:

> With respect to the National Forest System lands . . . which were reviewed by the Department of Agriculture in the second Roadless Area Review and Evaluation (RARE II), except for those lands remaining in further planning upon the enactment of this Act, . . . the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans . . . [P.L. 96-560, sec. 107(b)(2)]

The forest plans being developed under the RPA as amended are 10-year plans. Since the initial plans are to be completed by 1985, wilderness consideration would likely begin around 1993, as the plans are being revised.

Hard release differs on its direction for restudying wilderness potential. Further study is not required in any forest plan completed before a specific date. For example, sec. 302(b) of S. 543 specifically states:

> National forest system lands in the State of Wyoming . . . shall be deemed, for the purposes of all current and future land management plans which are approved before December 31, 2000, . . . to have been given adequate consideration as to their suitability for inclusion in the National Wilderness Preservation System.

Since forest plans are expected to provide management for ten years, forests with plans approved in the summer of 2000 may not restudy wilderness potential until 2010.

The other difference between hard and soft release is in the management direction for roadless areas until they are restudied. Soft release permits the Forest Service to plan for development in areas recommended for nonwilderness by RARE II. Specifically, for example:

> Areas . . . not designated as wilderness or for study by Congress, or remaining in further planning upon enactment of this Act need not be managed for the

purpose of protecting their suitability for wilderness designation pending revision of the initial plans . . . [P.L. 96-560, sec. 107(b)(3)]

Thus, the Forest Service can manage an area as wilderness, without congressional approval, if it desires. Hard release prohibits such management. Again using S. 543 as an example,

National forest system lands . . . shall be managed for multiple uses other than wilderness . . .

This prohibits the Forest Service from designating wilderness management for areas not designated by Congress. This does not imply that development in the 10-year plan is required, only that the lands cannot be planned as wilderness.

BACKGROUND

The Wilderness Act (P.L. 88-577) established the National Wilderness Preservation System in 1964 with an initial endowment of 9.1 million acres of national forest lands. The Act gave Congress the sole authority to add to the system, but directed the Secretary of Agriculture to review the 5.5 million acres of primitive areas managed by the Forest Service and then provide recommendations on which areas should be designated wilderness to the President and the Congress.

The Forest Service administratively expanded the scope of the primitive area review and began the Roadless Area Review and Evaluation (RARE) in June 1970. Approxmately 12.4 million acres in 274 areas were identified for the study by the Forest Service. However, this study evoked substantial criticism because eastern national forests, national grasslands, and all roadless areas of less than 5,000 acres were excluded. RARE was abandoned in 1972 before any recommendations were made because of a lawsuit claiming 44 million acres were improperly excluded from the study.

The Forest Service began a second national wilderness study, RARE II, in June 1977. This examination was broader in scope than the first effort, including over 62 million acres in 2,919 areas. The recommendations were issued on January 4, 1979. One quarter of the area reviewed (15.1 million acres) was recommended for addition to the wilderness system. Another 10.8 million acres was to be studied further in the Forest Service land use planning process. The remaining 36.2 million acres were recommended for nonwilderness, to be managed for uses other than wilderness: logging, grazing, recreational developments wildlife habitat improvements, motorized recreation, and energy and mineral development. On April 16, 1979, President Carter presented the Congress with the Forest Service recommendations virtually unchanged; less than 1 million acres was shifted among the recommended categories.

RARE II was carried out as an acceleration of the planning process mandated for the national forests by the RPA as amended. Therefore, it differed from the original RARE study, which was conducted without congressional direction for Forest Service planning. RARE II was also done within the requirements of the National Environmental Policy Act of 1969 (NEPA, P.L. 91-190) because the RPA as amended requires that the forest plans be conducted in accordance with that law. NEPA requires a published assessment of the environmental impacts of significant Federal actions and requires that public concerns be addressed. Thus, public response was a significant factor in shaping the recommendations.

In July 1979, the State of California sued the U.S. Department of Agriculture because the State was dissatisfied with the RARE II recommendations for California. The State claimed that the analysis did not adequately consider the environmental consequences for 46 areas in the State that were recommended for uses other than wilderness. On January 8, 1980, a U.S. District Court judge ruled that the RARE II Final Environmental Statement, with respect to the 46 areas identified in the suit, did not contain sufficient site-specific data on wilderness values and did not consider an adequate range of alternatives. It was, therefore, an inadequate basis for management. The court issued an injunction to prohibit development in the disputed areas. The Forest Service appealed the decision, but on October 22, 1982, the 9th Circuit Court of Appeals modified, but basically upheld, the lower court ruling.

It was essentially this court ruling that brought about the development of release language by commodity groups. The forest industry feared that similar injunctions might result elsewhere, or that the court's reasoning would require the Forest Service to conduct another costly, more detailed, and very time-consuming wilderness study. Initial attempts to prevent either of these occurrences focused on a nationwide RARE II bill with nationwide release language that would prohibit the Forest Service from any further wilderness analysis ever. Bills were introduced in both

Houses of Congress in the 96th and 97th Congresses, but no final action was taken on any nationwide wilderness bill.

Since the completion of RARE II, Congress has generally been considering wilderness designation in the national forests by individual States. Soft release language was a compromise worked out among the various interest groups in the consideration of H.R. 7702 in the 96th Congress, a bill to designate wilderness areas in California. Environmental groups recognized the industry's concerns because of the California lawsuit, and agreed that the Forest Service should not have to restudy wilderness potential in the initial forest plans that were then being started. The Committee Report (House Report No. 96–1223) makes it explicit that the intent was for the Forest Service to restudy the wilderness option for roadless areas when the management plans for a particular area were revised in the 1990s and roughly once a decade thereafter. As the report deals with the issue of wilderness study and forest planning, it is implicit that this compromise (soft release) would be used in future wilderness legislation.

CONCERNS OVER SOFT RELEASE

The forest industry has two concerns about the soft release language that appears in many of the wilderness bills currently before Congress. One concern is that the release language only applies to areas studied by the Forest Service in RARE II; other roadless areas are not protected from litigation over the lack of a wilderness analysis. It is difficult to establish the validity of this concern. The direction given to the Secretary of Agriculture in the Wilderness Act was limited to national forest primitive areas. However, the RPA as amended does give some direction that wilderness will be considered in national forest planning, in sec. 6(e)(1) and sec. 6(g)(3)(A).

The other concern over soft release is the language that allows wilderness potential to be ignored until the revision of the initial forest plans. The interpretation of "revision" is the key to the concern. Sec. 6(f)(5)(A) of RPA as amended directs plans to be revised "from time to time when the Secretary finds conditions in a unit have significantly changed, but at least every 15 years." The regulations for implementing forest planning give similar direction, although they limit the duration of the plans to 10 years [36 CFR 219.11(f)]. The current concern is that a challenge to an initial forest plan could force an immediate revision of the plan, without any period of implementation. If so, another wilderness analysis for those areas could begin as early as 1 year after an initial plan has been completed. This provides no period of stability for the industry, and is arguably contrary to the intent of soft release language, as stated in House Report 96–1223 (p. 54): "The Committee believes and expects, therefore, that the wilderness option for the roadless areas in nonwilderness multiple-use will not be reexamined in most cases until approximately 1993." The report language notwithstanding, a literal interpretation of the soft release language could force a reexamination of the wilderness potential of some areas as early as 1986.

HARD RELEASE

The industry has developed two adjustments to soft release language to address these concerns. The first adjustment is to apply release to all national forest lands in the given State, rather than just to areas studied in RARE II. The second adjustment is to not require wilderness consideration in any forest plans developed by the Forest Service until a specific date; December 31, 2000 is the preferred date. These two adjustments are the difference between soft release and hard release.

Environmental groups have expressed concern over hard release language. Their objections focus on the timing of future wilderness consideration. Hard release does not require wilderness study in any forest plan, initial or revised, that has been approved prior to December 31, 2000 in States where wilderness designations have been completed by Congress. Thus, a forest with a ten-year plan approved early in the year 2000 may not undertake a wilderness analysis until 2010. This is in contrast to the compromise, quoted from the Committee Report above, which expresses the expectation of wilderness study beginning in about 1993.

SUMMARY

Release language is that part of many wilderness bills that gives some direction to the Forest Service in the planning and management of the national forest areas that have been studied for wilderness potential. It developed following a court ruling that the RARE II Final Environmental Statement was an inadequate basis

for deciding whether areas should be managed for wilderness or for alternative uses for 46 roadless areas in California. Concerns about additional Forest Service wilderness analyses has prompted Congress to develop release language. Soft release language was a compromise achieved in August 1980 to address the concerns of the industry while preserving some wilderness options for the future.

The timber industry has proposed some changes which address two primary concerns. First is the possibility of litigation over a forest plan that does not examine wilderness in areas excluded from the RARE II study. The second change addresses the possibility of an immediate reconsideration of wilderness if plans must be revised due to appeals or litigation. Their "hard release" alternative releases all national forests in a given State from wilderness study or management and does not require reexamination of wilderness in any forest plans completed by the Forest Service before a particular future date (generally December 31, 2000). Hard release language has been supported by the Reagan Administration in its testimony on wilderness legislation. In the 98th Congress, only one statewide bill has passed the Senate (S. 543 for the State of Wyoming), and it contains hard release language.

Environmental organizations tend to oppose hard release language. The primary objection is that the specific date could postpone future wilderness consideration for as much as 25 years, contrary to the compromise worked out in 1980. The House Committee on Interior and Insular Affairs has not reported any statewide bills which do not contain soft release language.

II

98TH CONGRESS
1ST SESSION

S. 1610

To establish the wilderness areas in Wisconsin.

IN THE SENATE OF THE UNITED STATES

JULY 13 (legislative day, JULY 11), 1983

Mr. KASTEN (for himself and Mr. PROXMIRE) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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A BILL

To establish the wilderness areas in Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the purposes of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131)—

(1) certain lands within the Chequamegon National Forest, Wisconsin, which are generally depicted on the map entitled, "Porcupine Lake" comprising four thousand two hundred and thirty-five acres; and

(2) certain lands within the Nicolet National Forest, Wisconsin, generally known as the "Headwa-

ters Wilderness," and which are depicted on the maps entitled—

(A) "Kimball Creek" comprising seven thousand five hundred and twenty-seven acres;

(B) "Headwaters of the Pine" comprising eight thousand eight hundred and seventy-two acres; and

(C) "Shelp Lake" comprising three thousand seven hundred and five acres,

are hereby designated as wilderness, and therefore as a component of the national wilderness system.

SEC. 2. Subject to valid existing rights, the wilderness areas designated by this act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 3. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of national forest roadless areas in Wisconsin

and the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest lands in States other than Wisconsin, such statement shall not be subject to judicial review with respect to national forest system lands in the State of Wisconsin;

(2) with respect to the national forest lands in the State of Wisconsin which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 (Public Law 94–588) to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans and in no case prior to

the date established by law for completion of the initial planning cycle;

(3) areas in the State of Wisconsin reviewed in such final environmental statement and not designated as wilderness by this Act shall be managed for multiple use pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976; and

(4) unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of Wisconsin for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

SEC. 4. As soon as practicable after enactment of this Act, maps and legal descriptions of the wilderness areas designated by this Act shall be filed with the Committees on Agriculture and Interior and Insular Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and such maps and legal descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That corrections of clerical and typographical errors in such legal descriptions and maps may be made.

STAFF EXPLANATION OF S. 1610

S. 1610, sponsored by Senator Kasten and Senator Proxmire, would designate certain areas in Wisconsin as wilderness areas in, and as components of, the National Wilderness Preservation System. More specifically, S. 1610 contains the following provisions:

1. The bill would designate as wilderness areas—

approximately 4,235 acres of land generally known as "Porcupine Lake"; and

certain lands generally known as the "Headwaters Wilderness" consisting of the following parcels—

(a) approximately 7,527 acres of land known as "Kimball Creek",

(b) approximately 8,872 acres of land known as "Headwaters of the Pine",

(c) and approximately 3,705 acres of land known as "Shelp Lake".

2. The bill would require that the areas designated as wilderness be administered in accordance with the provisions of the Wilderness Act, except that any reference in those provisions to the effective date of that Act would be deemed to be a reference to the effective date of the bill.

3. The bill contains congressional findings that the Department of Agriculture has completed the second roadless area review and evaluation (RARE II) and that Congress has made its own evaluation of National Forest System roadless areas in Wisconsin, including reviewing the environmental impact associated with alternative uses for these areas. Based on these findings, the bill provides that Congress determines and directs, with respect to the National Forest System lands in Wisconsin, that—

the RARE II final environmental statement shall not be subject to judicial review;

to the extent such lands were reviewed in the RARE II for the purposes of the initial land management plans required by law, the RARE II review and evaluation shall be considered to be an adequate consideration of the suitability of the lands for inclusion in the National Wilderness Preservation System. The Department shall not be required to review the wilderness option for the lands prior to revision of the initial land management plans and in no case prior to the statutory date for completion of the initial planning cycle (Note: the date for completion of the initial planning cycle, as specified in section 6(c) of the Forest and Rangeland Renewable Resources Planning Act of 1974 is September 30, 1985);

to the extent that such lands were reviewed in the RARE II final environmental statement and not designated as wilderness by this bill, such lands shall be managed for multiple use purposes in accordance with section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974; and

unless expressly authorized by Congress, the Department shall not conduct any additional statewide roadless areas review and evaluation of such lands for the purpose of determining the suitability of any additional areas for inclusion in the National Wilderness Preservation System.

4. The bill would require that, as soon as practicable after enactment of the bill, maps and legal descriptions of the areas designated as wilderness in the bill be filed with this Committee and the appropriate committees in the House. In addition, the bill provides that the maps and descriptions would have the same legal force as if included in the bill and would be subject to the correction of clerical and typographical errors.

○